

TITLE 10

Motor Vehicles and Traffic

- Chapter 1 Traffic and Parking
- Chapter 2 Bicycles and Play Vehicles
- Chapter 3 Snowmobiles
- Chapter 4 All-Terrain Vehicles and Off-Road Motor Vehicle Operations
- Chapter 5 Abandoned and Junked Vehicles

CHAPTER 1

Traffic and Parking

Article A General Provisions

- 10-1-1 State Traffic Laws Adopted
- 10-1-2 State Administrative Code Provisions Adopted
- 10-1-3 Official Traffic Signs and Control Devices; Prohibited Signs, Signals and Markers
- 10-1-4 Registration Record of Vehicle as Evidence
- 10-1-5 School Bus Warning Lights
- 10-1-6 Blue Warning Lights on Police Vehicles
- 10-1-7 Accident Reports
- 10-1-8 through 10-1-19 *Reserved for Future Use*

Article B Controlled Intersections; Street Traffic Regulations

- 10-1-20 Operators to Obey Traffic Control Devices
- 10-1-21 Through Streets Designated
- 10-1-22 Heavy Traffic Routes
- 10-1-23 Speed Limits
- 10-1-24 U-Turns
- 10-1-25 Stop Intersections
- 10-1-26 Yield Intersections
- 10-1-27 Traffic Lanes Reserved for Turning Movements
- 10-1-28 (Repealed)
- 10-1-29 One-Way Streets
- 10-1-30 through 10-1-39 *Reserved for Future Use*

Article C Parking Regulations

- 10-1-40 Restrictions on Parking; Posted Limitations
- 10-1-41 Parking Restrictions During Street Maintenance or Temporary Snow Removal

- 10-1-42 Stopping and Parking Prohibited in Certain Specified Places
- 10-1-43 Parking Reserved for Vehicles of Disabled
- 10-1-44 Leaving Keys in Vehicles Prohibited; Parking Vehicles With Motor Running
- 10-1-45 Unattended Motorized Machinery
- 10-1-46 Angle Parking
- 10-1-47 Parking Prohibited At Any Time
- 10-1-48 Prohibited At Certain Times
- 10-1-49 Limited Parking Zones
- 10-1-50 Winter All-Night Parking
- 10-1-51 Parking of Vehicles Over 12,000 Pounds or 16 Feet Restricted
- 10-1-52 to 10-1-55 *Vacant*
- 10-1-56 City Parking Lots and Ramps
- 10-1-57 Unlawful Removal of Parking Citations
- 10-1-58 Operation of Motor Vehicles in Public Parking Lots
- 10-1-59 Removal of Illegally Parked Vehicles
- 10-1-60 Inoperable, Wrecked or Discarded Vehicles
- 10-1-61 Traffic and Parking Regulations on School District Grounds
- 10-1-62 School Bus Loading Zones
- 10-1-63 through 10-1-79 *Reserved for Future Use*

Article D Miscellaneous Provisions

- 10-1-80 Disturbance of the Peace With a Motor Vehicle
- 10-1-81 Pedestrian Regulations
- 10-1-82 Motor Vehicles on Pedestrian Ways and Overpasses
- 10-1-83 School Crossing Guards
- 10-1-84 Driving Over Curbing or Safety Islands Prohibited
- 10-1-85 Trains Obstructing Streets
- 10-1-86 through 10-1-89 *Reserved for Future Use*

Article E Enforcement and Penalties

- 10-1-90 Penalties
- 10-1-91 Enforcement

Appendix Schedules

- Schedule A Stop Intersections
- Schedule B Yield Intersections
- Schedule C No Parking At Any Time
- Schedule D Parking Prohibited At Certain Times
- Schedule E Limited Parking
- Schedule F Parking Meter Zones

ARTICLE A

General Provisions

SEC. 10-1-1 STATE TRAFFIC LAWS ADOPTED.

(a) **Statutes Adopted.** Except as otherwise specifically provided in this Code, the statutory provisions in Wis. Stat. chs. 340 to 349 describing and defining regulations with respect to vehicles and traffic, for which the penalty is a forfeiture only, including penalties to be imposed and procedures 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 regulation incorporated herein by reference is required or prohibited by this Chapter. Any future amendments, revisions, or modifications of the statutory regulations in Wis. Stat. chs. 340 to 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 vehicular traffic on the highways, streets, and alleys of the State of Wisconsin. Any person who shall within the City of Plymouth, Wisconsin, violate any provisions of any Statute incorporated herein by reference shall be deemed guilty of an offense under this Section. Each section of the Wisconsin Statutes adopted by this Chapter shall bear the same chapter and section number in this Code as it has in the Wisconsin Statutes.

(b) **Other State Laws Adopted.** There are also hereby adopted by reference the following sections of the Wisconsin Statutes, but the prosecution of such offenses under this Chapter shall be as provided in Wis. Stat. chs. 340 to 349 and the penalty for violation thereof shall be limited to a forfeiture as hereinafter provided in this Chapter:

| | |
|---------|--|
| 941.01 | Negligent Operation of Vehicle Off-Highway |
| 941.03 | Highway Obstruction |
| 943.11 | Entry into Locked Vehicle |
| 943.23 | Operating Motor Vehicles Without Owner's Consent |
| 947.045 | Drinking in Motor Vehicle On-Highway |

(c) **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.

(d) **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. Admin. Code Ch. TRANS 303 | Equipment Standards for Specific Vehicles |
| Wis. Admin. Code Ch. TRANS 304 | Slow Moving Emblem |
| Wis. Admin. Code Ch. TRANS 305 | Standards for Vehicle Equipment |
| Wis. Admin. Code Ch. TRANS 306 | Use of Studded Tires |
| Wis. Admin. Code Ch. TRANS 307 | Standards for Loan Securement |

(b) **Non-Compliance Prohibited.** No person shall operate or allow to be operated on any highway, street, or alley within the City a vehicle that is not in conformity with Subsection (a) of this Code or the provisions of Wis. Stat. § 110.075 and Wis. Stat. ch. 347, 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 Wis. Stat. § 347.04 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 of the City 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 Wis. Stat. § 110.75(5) 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) **Duty of Director of Public Works 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 Director of Public Works, with the cooperation of the Police Department, 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 Director of Public Works will carry out the purposes of this Chapter and give adequate warning to users of the streets and highways of the City of Plymouth.

(b) **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 City any sign, signal, marker, mark, or monument unless permission is first obtained from the Director of Public Works 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 (c).

(c) **Removal of Unofficial Signs, Markers, Signals, and Traffic Control Devices.** The Director of Public Works 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 illegal sign, signal, marking, or device shall be reported by the Director of Public Works to the Common Council 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: Wis. Stat. §§ 346.41 and 349.09.

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 at a 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 Wis. Stat. § 346.495(5)(b) shall be a defense for an owner charged with such violation.

SEC. 10-1-5 SCHOOL BUS WARNING LIGHTS.

- (a)
 - (1) Pursuant to authority granted by Wis. Stat. § 349.21(l) and except as provided in Subsection (b) below, school bus operators shall use flashing red warning lights in residential and business districts where a sidewalk and curb are laid out on both sides of the street when pupils or other authorized passengers are to be loaded or unloaded at a location at which there are no traffic signals and such persons must cross the street or highway before being loaded or after being unloaded.
 - (2) The operator of a school bus equipped with flashing red warning lights shall actuate such lights at least one hundred (100) feet before stopping to load or unload pupils or other authorized passengers and shall not extinguish such lights until loading or unloading is completed and persons who must cross the street or highway are safely across.
 - (3) The operator of a school bus shall use the flashing red warning lights when loading or unloading passengers from either side where there is no curb and sidewalk on either side of the road, or where curb and sidewalk are laid on one (1) side of the road only.
 - (4) The operator of a motor vehicle who approaches from the front or rear of any school bus which has stopped on a street or highway when the bus is displaying flashing red warning lights shall stop the vehicle not less

than twenty (20) feet from the bus and shall remain stopped until the bus resumes motion or the operator extinguishes the flashing red warning lights. The operator of a school bus who approaches the front or rear of another school bus that has stopped and is displaying red warning lights shall stop not less than twenty (20) feet from the other bus, display its red warning lights, and remain stopped with red warning lights actuated until the other bus resumes motion or the other operator extinguishes the flashing red warning lights.

(b) Pursuant to Wis. Stat. § 349.21(2) 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 Wis. Stat. § 118.08(t) in which a street or highway borders the grounds of a school.

SEC. 10-1-6 BLUE WARNING LIGHTS ON POLICE VEHICLES.

(a) Pursuant Wis. Stat. §§ 346.03(3), 346.94(14), 346.95(3), and 347.25(l), (1m)(a) and (b) and (4), a marked police vehicle under Wis. Stat. § 340.01(3)(a), may be equipped with a blue light and a red light which flash, oscillate, or rotate and oscillating headlights.

(b) If the vehicle is so equipped, the lights shall be illuminated when the operator of the police vehicle is exercising the privileges granted under Wis. Stat. § 346.03. The blue light shall be mounted on the passenger side of the vehicle and the red light shall be mounted on the driver side of the vehicle. The lights shall be designed and mounted so as to be plainly visible and understandable from a distance of five hundred (500) feet during normal sunlight and during hours of darkness. No operator of a police vehicle may use the warning lights except when responding to an emergency call or when in pursuit of an actual or suspected violator of the law, when responding to but not upon returning from a fire alarm, or when necessarily parked on a highway in a position which is likely to be hazardous to traffic using the highway.

SEC. 10-1-7 ACCIDENT REPORTS.

The operator of every vehicle involved in an accident shall, immediately after such accident, file with the Police Department a copy of the report required by Wis. Stat. § 346.70, 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 of Wis. Stat. §§ 346.70(4)(f) and 346.73, specifically that accident reports filed with this Section shall be for the confidential use of the Department and shall not be open to public inspection except as permitted by Wis. Stat. § 346.73.

State Law Reference: Wis. Stat. § 346.70.

SEC. 10-1-8 THROUGH SEC. 10-1-19 RESERVED FOR FUTURE USE.

ARTICLE B

Controlled Intersections; Street Traffic Regulations

SEC. 10-1-20 OPERATORS TO OBEY.

Every operator of a vehicle approaching an intersection at which an Official Traffic Control Device is erected in accordance with this Chapter shall obey the direction of such Official Traffic Control Device as required by the Wisconsin Statutes incorporated by reference in Section 10-1-1 of this Chapter. Operators of vehicles approaching a stop sign shall stop before entering a highway as required by Wis. Stat. § 346.46. Operators approaching intersections at which a yield sign has been installed shall yield the right-of-way to other vehicles as required by Wis. Stat. § 346.18(6).

SEC. 10-1-21 THROUGH STREETS DESIGNATED.

(a) In the interest of public safety and pursuant to Wis. Stat. § 349.07, the following streets or portions thereof set forth in this Section are declared to be through streets. All vehicles proceeding onto such portions of such streets from intersecting or joining streets shall first stop as provided by Wis. Stat. § 346.46, when such stop is directed by an official sign there in place as provided by this Chapter:

- (1) Mill Street at its intersection with Pleasant Street.
- (2) Caroline Street from Mill Street to the north line of Elizabeth Street.
- (3) Eastern Avenue from the east City limits to Mill Street.
- (4) Elizabeth Street from the west line of Smith Street to the west line of Milwaukee Street.
- (5) Fairview Drive from Eastern Avenue north to the City limits.
- (6) Kensington Avenue at its intersection with Bruns Street and Bishop Street.
- (7) Milwaukee Street from the south City limits to the north City limits, excepting at its intersection with Mill Street and excepting that portion

thereof between the north curb line of Main Street and the south curb line of Elizabeth Street.

(8) Main Street from the west line of Plymouth Street east to North Street thence south on North Street to Mill Street.

(9) Mead Avenue from the north line of Clifford Street to the south line of Collins Street.

(10) Mill Street from Eastern Avenue to the west line of Caroline Street.

(11) North Street where it intersects Main Street relating only to traffic approaching from the south on North Street.

(12) Reed Street from the east line of South Milwaukee Street to the west line of Mead Avenue.

(13) Selma Street at its intersection with Reed Street.

(14) Smith Street from the north line of Elizabeth Street to the north end of Smith Street.

(15) South Street from the south line of Eastern Avenue to the south City limits.

(16) Western Avenue from Main Street west to the City limits.

(17) Sunset Drive from the south line of County Road "C" to the south line of Chaplin Court.

(18) County Road "C" from Elmwood Road to the north line of State Highway 23.

(19) Elmwood Road from the east line of County Road "C" to the Plymouth corporate limits.

(20) Kensington Avenue at its intersection with Hilltop Lane.

(21) North Highland Avenue at its intersection with Hilltop Lane.

(22) Bishop Street at its intersection with Douglas Drive.

(23) North Highland Avenue at its intersection with Douglas Drive.

(24) Valley Road from its intersection with South Highland Avenue.

(25) South Hills Drive from the west line of South Milwaukee Street to the north line of Hill & Dale Road.

(26) Krumrey Street from Airpark Road to Rustic Road.

(b) **Stop Required.** Every person operating a vehicle shall cause his vehicle to stop in the manner prescribed by Wis. Stat. § 346.46 before crossing a through street or entering a stop intersection.

State Law Reference: Wis. Stat. § 349.07.

SEC. 10-1-22 HEAVY TRAFFIC ROUTES.

(a) **Heavy Traffic Routes Designated.** The following streets in the City of Plymouth are hereby designated as Heavy Traffic Routes under the provisions of Wis. Stat. § 349.17:

(1) Appleton Street from Thayer Street to West Clifford Street.

(2) Clifford Street from Appleton Street to South Street.

(3) Cold Storage Street.

(4) Elizabeth Street from North Milwaukee Street to Western Avenue.

(5) Factory Street.

(6) Laack Street from Schwartz Street to Grove Street.

(7) Main Street from North Street to Plymouth Street.

(8) North Street from Mill Street to Main Street.

(9) Prospect Street from Milwaukee Street to its east terminus.

(10) Schwartz Street from Factory Street to Laack Street.

(11) South Street from Clifford Street south to County Road "PP."

(12) Thayer Street from Milwaukee Street to the railroad tracks.

(13) Sunset Drive from Bruhy Road south 2,000 feet.

(14) Pilgrim Road.

(15) Lindorfer Road.

(b) **Trucks Prohibited on Streets Other Than Heavy Traffic Routes.** It shall be unlawful for any person to operate any motor vehicle having a gross weight of more than eight thousand (8,600) pounds except motor buses on any street other than on a state road or on the streets designated in Subsection (a) hereof except when necessary for the purpose of obtaining orders and delivering and moving supplies or other necessary commodities to or from any place of business or residence fronting on any such streets except when necessary for the purpose of leaving or returning to the terminal or place of garaging of any such vehicle. When it is necessary for the operator of such a vehicle to travel upon a street not designated for heavy truck traffic as provided in Subsection (a) hereof, such operator shall leave and re-enter such heavy truck routes at the point closest to his immediate destination.

(c) **Signs.** Appropriate signs shall be erected to give notice of this designation of the streets listed in Subsection (a) as heavy traffic routes.

(d) **Additional Restricted Streets.** Vehicles having a gross weight in excess of the following indicated limits shall not be operated upon the following streets or portions of streets except only for the purposes enumerated in Subsection (b), above to wit:

(1) Fairview Drive from Eastern Avenue to the north City limit, ten thousand (10,000) pounds.

(2) Pursuant to the provisions of Wis. Stat. § 349.16, no person shall operate a vehicle with a gross weight in excess of eight (8) tons [sixteen thousand (16,000) pounds] upon any portion of the bridge across the Mullet River at Frederick Street.

(e) **Construction Equipment.**

(1) The Chief of Police may grant temporary permits to allow heavy construction equipment to use City streets or highways not designated as heavy traffic routes. These permits may be granted only when use of a nondesignated route is necessary for the equipment to reach a construction site. No permit may be issued unless the person or corporation owning the equipment agrees to reimburse and hold the City harmless for any damage done to the City street by the equipment and/or any personal injury or property damage caused in part or in whole by the street damage.

(2) City owned or operated equipment is specifically excluded from the provisions of this Section.

(f) **Liability.** Any operator, corporation, owner, or agent whose heavy traffic vehicle damages any City streets or highways in violating this Section shall be liable and required to pay the City the cost of repair or replacement of the damaged street or highway.

(g) **Special and Seasonal Weight Limitations.** The Director of Public Works shall have the authority to impose special or seasonal weight limits on any highway, bridge, or culvert maintained by the City to prevent injury to the roadway or for the safety of the users of such bridge or culvert and shall be responsible for erecting Uniform Traffic Control Devices giving notice thereof in accordance with the proving of Section 10-1-3.

SEC. 10-1-23 SPEED LIMITS.

In accordance with the provisions of Wis. Stat. § 346.57, the speed limit shall be as hereinafter set forth on those streets or parts of streets herein designated when official signs have been erected giving notice thereof:

(a) On Sunset Drive from a point 0.3 miles south of its intersection County Road "C" - thirty-five (35) miles per hour.

(b) Highland Avenue from its intersection with Eastern Avenue to a point one hundred thirty-six (136) feet northerly therefrom - thirty-five (35) miles per hour.

(c) County Road "C" from its intersection with State Highway 23 to its intersection with Woodland Road - forty-five (45) miles per hour.

(d) Bruhy Road - thirty-five (35) miles per hour.

(e) Pleasant View Road from its intersection with Eastern Avenue to its intersection with County Road "PP" - thirty-five (35) miles per hour.

(f) County Road "PP" from State Highway 57, east 1000 east - thirty-five (35) miles per hour.

(g) County Road "PP" between Pilgrim Road and Highway 57 - thirty-five (35) miles per hour.

(h) County Road "PP" between Highway 67 and Evergreen Drive - thirty-five (35) miles per hour.

(i) North Pleasant View Road between State Highway 23 and Douglas Drive - thirty-five (35) miles per hour.

SEC. 10-1-24 U-TURNS.

When official signs of a type approved by the Wisconsin Department of Transportation have been erected no person shall cause a vehicle to make a U-turn so that after the turn, the vehicle is headed in the opposite direction at the following intersection and streets:

- (a) The intersection of Eastern Avenue and North Street with East Mill Street.
- (b) Mill Street between the west line of Milwaukee Street and the east line of North Street extended south.
- (c) Stafford Street between the north line of Main Street and the north line of Collins Street extended west.
- (d) The intersections of Collins Street and South Street with Eastern Avenue.

SEC. 10-1-25 STOP INTERSECTIONS.

The operator of a vehicle when approaching any intersection enumerated in Schedule A "Stop Intersections" incorporated by reference herein at which has been installed an official stop sign of the type approved by the Wisconsin Department of Transportation shall stop in the manner prescribed by Wis. Stat. § 346.46.

SEC. 10-1-26 OPERATOR TO YIELD.

The operator of a vehicle, when approaching any intersection enumerated in Schedule B "Yield Intersections" incorporated by reference herein at which has been installed an official Yield Sign of a type approved by the Wisconsin Department of Transportation shall yield the right-of-way to other vehicles which have entered the intersection from an intersecting highway or which are approaching so closely on the intersecting highway so as to constitute a hazard or collision and, if necessary, shall reduce speed or stop in order to so yield.

SEC. 10-1-27 TRAFFIC LANES RESERVED FOR TURNING MOVEMENTS.

The following lanes of traffic are reserved for vehicle turning movements in the indicated directions and all other traffic movements thereon shall be prohibited. Such permitted turning movements shall be indicated by appropriate pavement marking and signs:

- (a) The right west-bound lane of the 500 block of East Mill Street from its intersection with North Street and extending for a distance of 200 feet west therefrom shall be reserved for vehicles turning right, and its use by west-bound through traffic is prohibited.

(b) The left east-bound lane of the 500 block of East Mill Street from its intersection with Eastern Avenue and extending for a distance of 100 feet west therefrom shall be reserved for vehicles turning left onto North Street or proceeding east on Mill Street, but no right turn onto Eastern Avenue shall be permitted therefrom.

(c) The left east-bound lane of the 800 block of Eastern Avenue from its intersection with Fairview Drive and extending for a distance of 100 feet west therefrom shall be reserved for vehicles turning left onto Fairview Drive, and its use by east-bound through traffic on Eastern Avenue is prohibited.

(d) The right east-bound lane of the 1600 block of Eastern Avenue from its intersection with Highland Avenue and extending for a distance of 100 feet west therefrom shall be reserved for vehicle turning right onto Highland Avenue, and its use by east-bound through traffic on Eastern Avenue is prohibited.

(e) The right lanes of all approaches to the intersection of Mill Street and Milwaukee Street and extending for a distance of 100 feet back therefrom shall be reserved for vehicles turning right, and their use by through traffic is prohibited.

(f) The right north-bound lane of the 100 block of South Highland Avenue from its intersection with Eastern Avenue and extending for a distance of 100 feet south therefrom shall be reserved for vehicles turning right onto Eastern Avenue, and its use by north-bound through traffic on Highland Avenue is prohibited.

(g) The right south-bound lane and the left south-bound lane of the 100 block of Smith Street from their intersection with East Mill Street and extending for a distance of 100 feet north therefrom shall be reserved for vehicles turning to the right and to the left respectively onto East Mill Street.

(h) The left lanes of all approaches to the intersection of East Mill Street and Stafford Street shall be reserved for vehicles turning left, and their use by through traffic is prohibited. All traffic proceeding straight ahead or turning right shall use only the right lanes.

(i) The right east-bound lane of Douglas Drive at its intersection with Highland Avenue.

(j) The right north-bound lane and the right south-bound lane of Pleasantview Road at its intersection with Eastern Avenue.

(k) The center twelve (12) foot lane of Eastern Avenue from its intersection with Collins Street to its intersection with Highland Avenue shall be reserved for vehicles turning left only.

SEC. 10-1-28 (REPEALED).

SEC. 10-1-29 ONE-WAY STREETS.

The following streets and alleys or parts thereof are declared to be one-way streets and official traffic signs shall be erected at the entrances to said streets and alleys from other streets or alleys, and no operator of a vehicle shall operate or drive such vehicle except in the direction indicated:

- (a) Spring Street, in a southerly direction.
- (b) Loebe Drive, in a westerly direction.
- (c) Southriver Boulevard, eastbound only in the southern lane and westbound only in the northern lane.
- (d) Parkview Drive, north-bound only in the easternmost lane and south-bound only in the western-most lane.
- (e) Riverview Circle, north-bound only in the easternmost lane to its northernmost point, and south-bound only in the western-most lane to its intersection with its southern-most part allowing east and west-bound traffic.
- (f) Orchard Lane, in a westerly direction, north from North Street to Smith Street.

(Revised 11/08)

ARTICLE C

Parking Regulations

SEC. 10-1-40 RESTRICTIONS ON PARKING; POSTED LIMITATIONS.

- (a) The Common Council may designate certain streets or portions of streets as no parking or no stopping or standing zones or as zones for parking by physically handicapped persons and may limit the hours in which the restrictions apply. The City shall mark, by appropriate signs, each zone so designated in accordance with the provisions of Wis. Stat. § 349.13.
- (b) Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police 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.

(c) The Chief of Police is hereby granted the authority, within the reasonable exercise of police power to prohibit, limit the time, or otherwise restrict the stopping, standing or parking of vehicles beyond the provisions of Wis. Stat. ch. 346. The Director of Public Works 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 weakness 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.

(d) No prohibition, restriction, or limitation on parking or restriction on movement or and imposition of special weight limits is effective control devices have been placed or erected indicating the particular prohibition, restriction, or limitation.

(e) After the parking limitations on any given street have expired, any change of location of not more than two (2) stalls following expiration of the parking period allowed shall be and constitute a violation of this Chapter.

(f) No person shall park a vehicle on any street of the City for a period of time longer than twenty-four (24) hours; or in a public parking lot in the City of Plymouth for a period of time longer than twenty-four (24) hours.

SEC. 10-1-41 PARKING RESTRICTIONS DURING TEMPORARY SNOW REMOVAL OR STREET MAINTENANCE.

(a) **Street Maintenance.** Whenever it is necessary to clear or repair a City roadway or any part thereof, the Public Works and/or Police Department shall post such highways or parts thereof with signs bearing the words "No Parking - Street Maintenance Work." Such signs shall be erected at least two (2) hours prior to the time that street maintenance work is to be commenced. No person shall park a motor vehicle in violation of such signs.

(b) **Temporary Parking Restrictions for Special Events.** Pursuant to the provisions of Wis. Stat. § 349.13, the Chief of Police is authorized to direct that temporary "No Parking" signs be erected by the Public Works Department during parades, festivals, and other authorized events that require the regulating of vehicle stopping, standing, or parking on City roadways. The temporary regulation shall be limited to the time the event exists or is likely to exist.

(c) **Parking During Snow Removal.** No person shall park, place, or leave standing any automobile, truck, or other vehicle on any street or public way after one (1) hour from the time such area has been designated and marked with signs or barriers by the Police Department and/or the Public Works Department of the City indicating no parking due to snow removal.

SEC. 10-1-42 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 moved 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 crosswalk.
- (3) On a sidewalk or terrace area except when parking in such place is clearly indicated by official traffic signs, markers, or parking meters. "Terrace or Sidewalk Area" 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.
- (4) 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.
- (5) On the roadway side of any parked vehicle unless double parking is clearly indicated by official traffic signs or markers.
- (6) Within a fire lane consisting of either the driveway between the front doors of the Fire Station and the public street or in such places properly designated and marked as fire lanes ordered by the Fire Chief.
- (7) Upon any portion of a highway where and at the time when stopping or prohibited by official traffic signs indicating the prohibition of standing.
- (8) In any manner so as to obstruct, block, or impede traffic.
- (9) Within ten (10) feet of a fire hydrant, unless a greater distance is indicated by an official traffic sign.
- (10) Upon any portion of a highway where and at the time when parking is restricted by official traffic signs.
- (11) Upon any bridge.

(12) Upon any street or highway within the City limits any vehicle which faces a different direction from the direction of normal traffic flow for the lane of traffic in which said vehicle is stopped or standing.

(13) Upon any terrace or sidewalk in the City at any time.

(14) In a loading zone.

(15) Within four (4) feet of the entrance to an alley, private road, or driveway.

(16) In any municipal park when said park is closed to the public.

(b) **Parking In Driveways.** No person shall park or leave standing any motor vehicle in any private driveway without the permission of the owner or lessee of the property which such driveway is located, whether or not such driveway is posted to limit or restrict parking.

(c) **Vehicles Not to Block Private Drive, Alley, or Fire Lane.** No vehicle shall at any time be parked so as to unreasonably restrict the normal access to any private drive, alley, or fire lane. Said access shall be deemed to be unreasonably restricted if any vehicle is parked within four (4) feet of either side of said access. Upon discovery by a police officer or upon complaint by the owner of any such blocked drive, alley, or fire lane, a law enforcement officer may order said vehicle towed from such position at the risk and expense of the owner of said vehicle.

(d) **Parking on Private Property.** No person may leave or park any motor vehicle on private property without the consent of the owner or lessee of the property. Owners or lessees of public or private property may permit parking by certain persons and limit, restrict, or prohibit parking as to other persons if the owner or lessee posts a sign on the property indicating for whom parking is permitted, limited, restricted or prohibited. No person may leave or park any motor vehicle on public or private property contrary to a sign posted thereon.

SEC. 10-1-43 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 for 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. 10-1-44 LEAVING KEYS IN VEHICLE PROHIBITED; PARKING VEHICLES WITH MOTOR RUNNING.

(a) **Leaving Keys in Vehicle.** No person shall permit any motor vehicle to stand or remain unattended on any street, alley, or other public area except an attended parking 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. Whenever any police officer shall find any vehicle standing with the key in the ignition in violation of this Section, such officer is authorized to remove such key from the vehicle and deliver the key to the Police Department for safe custody.

(b) **Parking Vehicles With Motor Running.** No person shall permit a motor vehicle or truck in his custody to be parked upon any street, alley, or parking lot with the engine thereof running or the motor of any refrigeration unit mounted thereon in operation, whether attended or unattended, except only while such vehicle is in the actual process of loading or unloading.

SEC. 10-1-45 UNATTENDED MOTORIZED MACHINERY.

It shall be unlawful for any person, firm, or corporation to permit any construction, compaction, earth-grading, or farm machinery which is self-propelled and moves upon the surface of the earth and which is owned or controlled by him to stand for any period of time unattended without locking the ignition system or otherwise rendering said machinery inoperable so as to prevent any person unauthorized by the owner or individual in control thereof from starting said machinery.

SEC. 10-1-46 ANGLE PARKING.

(a) Angle parking or parking diagonally is prohibited on all the streets, alleys, and highways of the City. All vehicles shall park parallel to and within one (1) foot of the curb.

(b) Angle parking shall be permitted at the following locations:

- (1) Mill Pond Court, west side, from its intersection with Alfred Street, south sixty-five (65) feet.

SEC. 10-1-47 PARKING PROHIBITED AT ANY TIME.

No person shall at any time park a vehicle in any of the places set forth in Schedule C which is made a part of this Section by reference.

SEC. 10-1-48 PARKING PROHIBITED AT CERTAIN TIMES.

No person shall park a vehicle during the times indicated on the streets set forth in Schedule D which is made a part of this Section by reference.

SEC. 10-1-49 LIMITED PARKING ZONES.

No person shall park a vehicle for longer than the time indicated on the streets set forth in Schedule E which is made a part of this Section by reference. This Section applies to all persons except physicians and surgeons and other persons authorized to treat the sick under Wis. Stat. ch. 147 who maintain an office within the City. Any such excepted person may park a vehicle owned by him and regularly used in his profession in any such restricted zone for a period not to exceed three (3) hours.

SEC. 10-1-50 WINTER ALL-NIGHT PARKING.

From December 1st to March 15th inclusive of each year, no person shall permit any vehicle to be parked on any street or alley in the City of Plymouth between the hours of 2:00 a.m. and 6:00 a.m. This Section does not apply to licensed physicians or surgeons engaged in the treatment of patients on any emergency basis.

SEC. 10-1-51 PARKING OF VEHICLES OVER 12,000 POUNDS OR 16 FEET RESTRICTED.

(a) **Street Parking.** 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 (including accessories, racks, or other physical extensions) or having a height of more than eight (8) feet from the roadway shall park the same upon any street, avenue, or public way in the City of Plymouth between the hours of 7:00 p.m. and 5:00 a.m. 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 City for the actual loading or unloading of goods, ware, or merchandise provided the "loading" and "unloading," as used in this Section, shall be limited to the actual time consumed in such operation. The Common Council may, however, designate specific truck parking zones.

(b) **Removal.** Any vehicle unlawfully parked under Subsection (a) above may be removed from the street by order of a law enforcement officer pursuant to Section 10-1-32, and the expense of so moving and storing such vehicle shall be paid by the operator or owner of said vehicle as a forfeiture in addition to the penalties hereafter prescribed.

SEC. 10-1-52 to 10-1-55 RESERVED.

SEC. 10-1-56 CITY PARKING LOTS AND RAMPS.

(a) **Hour Limitations for Parking Lots.** All off-street parking on lands owned or leased by the City of Plymouth for the parking of vehicles shall be limited to the posted limit, and any vehicle which shall remain parked therein beyond the posted limit shall be in violation thereof.

(b) **Restrictions for Parking Ramp.** The following restrictions are hereby adopted for the parking ramp located south of Block 4, Plat of Quit Qui Oc, and shall apply to both the ramp and beneath it on all public parking areas:

(1) No parking, stopping, or standing - 2 a.m. to 6 a.m.

(2) Two (2) hour parking - 8:00 a.m. to 6:00 p.m., Monday through Thursday and to 10:00 p.m. on Friday.

(3) No trucks as defined in Section 10-1-51(a) shall be allowed at any time on the surface of the ramp, except only utility and maintenance vehicles.

(c) **All Night Parking.** From December 1st to March 15th inclusive of each year, no person shall park or permit to be parked any vehicle upon any parking lot or portion thereof as below listed between the hours of 2:00 a.m. and 6:00 a.m. inclusive.

(1) The Municipal Parking Lot north of the Mullet River between Stafford Street and Division Street extended south, excepting however that overnight parking shall be permitted in the first row of parking spaces immediately adjacent to Stafford Street.

(2) The Municipal Parking Lot located upon Lot 13, Block 19, Original Plat, City of Plymouth.

(3) The Municipal Parking Lot west of Stafford Street and east of the Chicago and Northwestern Railroad north of the Mullet River and south of East Mill Street.

(4) The Municipal Parking Lot at the Northeast corner of Smith Street and East Mill Street.

(5) The Municipal Parking Lot located on Caroline Street upon a portion of Block 12, Plat of Quit Qui Oc, south of the Fire Department/City Hall.

(6) The Municipal Parking Lot located on Smith Street upon a portion of Block 12, Plat of Quit Qui Oc, south of the Police Department/City Hall.

(7) The Municipal Parking Lot located on Division Street.

(8) The Municipal Parking Lot located south of the Municipal Parking Ramp, excepting that overnight parking shall be permitted.

(d) **No Storage of Personal Property.** No item of personal property other than a registered motor vehicle designated primarily for personal transportation shall be placed upon or allowed to remain in any City parking lot, including park parking lots. Prohibited items shall include but not be limited to trailers, campers, snowmobiles, boats, motor homes, recreational vehicles, etc. Any such items shall be subject to removal pursuant to Section 10-1-59.

(e) **Enforcement of Parking Regulations.** The enforcement of all regulations imposed under this Section shall be the responsibility of the Plymouth Police Department.

(f) **City Hall Parking Lot.** The parking lot located south of City Hall, both upper and lower lots, shall be reserved exclusively to city employees and those persons conducting business at City Hall, the Police Department, and the Fire Department during the conduct of such business, Monday through Friday during the hours of 6 a.m. to 6 p.m., excepting for the four (4) parking spaces in the southeast corner of the upper lot, which may be used by the general public on an unrestricted basis. Its use by the general public for the parking of vehicles while conducting business other than at City Hall, the Police Department, or the Fire Department is prohibited during such times, excepting for said four (4) southeast spaces.

The west three (3) spaces located in the north-half of the upper lot shall be reserved exclusively for police use at all times.

SEC. 10-1-57 UNLAWFUL REMOVAL OF PARKING CITATIONS.

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

SEC. 10-1-58 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 ramp or in any private parking lot or ramp 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 or ramp and on any

private parking lot, road, or ramp held out for use for the general public for parking or vehicular traffic.

SEC. 10-1-59 REMOVAL OF ILLEGALLY PARKED VEHICLES.

(a) **Hazard to Public Safety.** Any vehicle parked in violation of this Chapter shall be subject to removal by the Police Department; the operator or owner thereof shall pay the costs of removal and, in addition, shall be subject to the penalty provided for such violation. Any vehicle parked, stopped, or standing upon a public parking lot or ramp in violation of any of the provisions hereof is declared to be a hazard to traffic and public safety.

(b) **Operator.** Such vehicle shall be removed by the operator in charge upon request of any law enforcement officer, to a position where parking is permitted or to a private or public parking or storage premises.

(c) **Removal by Traffic Officer.** Any 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 have removed such vehicle to a position where parking is permitted.

(d) **Removal by Private Service.** 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 vehicle towing services to remove and store such vehicle in any public storage garage or rental parking grounds or any facility of the person providing the towing services.

(e) **Towing and Storage Charges.** In addition to other penalties provided in this Chapter, the owner or operator of a vehicle so removed shall pay the actual cost 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 garage or rental facility, customary charges for such storage shall be paid. Upon payment, a receipt shall be issued to the owner of the vehicle for the towing or storage charge.

SEC. 10-1-60 INOPERABLE, WRECKED, OR DISCARDED VEHICLES.

(a) **Storage Prohibited.** No person owning or having custody of any partially dismantled, non-operable, wrecked, junked, or discarded motor vehicle shall allow such vehicle to remain on any public street or highway, parking lot, or ramp longer than twenty-four (24) hours after notification thereof by the Police Department. Notification shall be accomplished by placing in a conspicuous place on the vehicle and by mailing or serving upon the owner or occupant in charge of the premises 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 a public nuisance and may be removed as provided in Section 10-1-39.

(b) **Exemptions.** This Section shall not apply to a motor vehicle in an appropriate storage place or depository maintained in a lawful place and manner authorized by the City of Plymouth.

Cross-Reference: Section 10-5-1.

SEC. 10-1-61 TRAFFIC AND PARKING REGULATIONS ON SCHOOL DISTRICT GROUNDS.

Pursuant to the provisions of Wis. Stat. § 118.105, the following regulations shall apply to the grounds of the Plymouth School District located within the City:

(a) **Parking.** All parking on grounds of the Plymouth School District from 7:00 a.m. to 4:00 p.m. shall be by permit only and shall be restricted to designated areas. No person shall park any motor vehicle in an area other than that in which he shall have been issued a permit, therefore, nor shall any person park any motor vehicle not displaying such permit excepting only authorized visitors. All authorized visitors shall park only in areas designated and signed for visitor parking. No person shall park or leave standing any motor vehicle in any area in which parking shall by sign be prohibited, including sidewalks.

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

(c) **Vehicles Prohibited at Specified Times.** No person shall at any time operate a motor vehicle other than a school bus in or upon any drive designated by sign for buses only during the hours of 7:00 a.m. to 8:00 a.m. and during the hours of 2:00 p.m. to 4:00 p.m. Such drives shall be reserved to school buses for the purpose of loading and unloading students.

SEC. 10-1-62 SCHOOL BUS LOADING ZONES.

No person shall at any time operate, leave standing, or park a motor vehicle other than a school bus between the hours of 7:00 a.m. and 9:00 a.m. and between the hours of 2:00 p.m. and 4:00 p.m. when school is in session in the parking lane at the following locations:

(a) Pleasant Street, west side, from West Main Street to West Mill Street.

SEC. 10-1-63 THROUGH SEC. 10-1-79 RESERVED FOR FUTURE USE.

ARTICLE D

Miscellaneous Provisions

SEC. 10-1-80 DISTURBANCE OF THE PEACE WITH A MOTOR VEHICLE.

(a) **Unnecessary Noise and Display of Power 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 City of Plymouth.

(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 City.

(c) **Unnecessary Acceleration Prohibited.** It shall be unlawful for any person to unnecessarily accelerate a vehicle, squeal a vehicle's tires, or 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.

(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) Public park property;
- (2) Cemetery properties;
- (3) School District property.

(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.

SEC. 10-1-81 PEDESTRIAN REGULATIONS.

(a) Pedestrian Obedience to Traffic Control Devices and Regulations.

(1) Obedience to Traffic Control Devices. No person shall fail to obey the instructions of any Uniform Traffic Control Device when traveling as a pedestrian on any highway within the City of Plymouth unless otherwise directed by a law enforcement officer.

(2) Crossing at Crosswalks. No pedestrian shall cross at a crosswalk except on the right half thereof whenever practicable. Where sidewalks are provided, no pedestrian shall walk along and upon an adjacent roadway except when the sidewalk is visibly unsafe, obstructed, or closed to public travel.

(b) Prohibited Pedestrian Crossings. No pedestrian shall make a mid-block crossing unless such crossing is permitted by Official Traffic Control Devices.

SEC. 10-1-82 MOTOR VEHICLES ON PEDESTRIAN WAYS AND OVERPASSES.

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

SEC. 10-1-83 SCHOOL CROSSING GUARDS.

Pursuant to Wis. Stat. § 349.215, those adult persons hired by the School District or Police Department to act as "School Crossing Guards" shall have the authority to stop vehicular traffic and to keep it stopped as long as necessary at their respective school crossings for the purpose of permitting school children to cross the street.

State Law Reference: Wis. Stat. § 349.215, Wis. Stats.

SEC. 10-1-84 DRIVING OVER CURBING OR SAFETY ISLANDS PROHIBITED.

(a) Driving Over Curbing Prohibited. It shall be unlawful for any motor vehicle to be driven or backed over any curbing in the City of Plymouth.

(b) Driving Over Safety Zones or Islands Prohibited. Whenever safety zones or safety islands are marked in accordance with the Wisconsin Uniform

Traffic Control Device Manual, no operator of a vehicle shall at any time drive through or over a safety zone or safety island.

SEC. 10-1-85 TRAINS OBSTRUCTING STREETS.

No railroad company shall obstruct with its engines, cars, or otherwise any of the streets in the City excepting while necessarily crossing the same, longer than five (5) minutes at any one time.

ARTICLE E

Enforcement and Penalties

SEC. 10-1-90 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 Wis. Stat. §§ 814.63(l) and (2) or 814.65(l), the penalty assessment for moving traffic violations and the driver improvement surcharge imposed by Wis. Stat. §§ f-65.87 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 therefore 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.** 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.

(c) **Forfeitures for Violation of Uniform Moving Traffic Regulations.** 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 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 Wis. Stat. chs. 341 to 346 for which an imprisonment penalty or fine may be imposed upon the defendant.

(d) **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 Wis. Stat. chs. 341 to 349 shall be as found in the current edition of the Revised Uniform State Traffic Deposit Schedule.

(2) Penalties for Parking Meter Violations. Any person who violates the provisions of Sections 10-1-33, 10-1-34 or 10-1-36 may stipulate his guilt and pay a forfeiture of Two Dollars (\$2.00) by signing the parking violation ticket attached to his vehicle and depositing it in a meter collection box or by mailing or delivering the depositing it in a meter collection box, or by mailing or delivering the envelope to the Police Department within five (5) days of the violation. If such forfeiture is not paid within five (5) days, the minimum penalty for such violation shall be Ten Dollars (\$10.00). No court costs shall be collected unless the violator is brought to court.

(3) Penalty for Other Parking Violations. The penalty for all other parking violations not included above shall be a forfeiture of not less than Twenty Dollars (\$20.00) nor more than Two Hundred Dollars (\$200.00). If such forfeiture is not paid within five (5) days, the minimum penalty for such violation shall be Forty Dollars (\$40.00).

(e) **Through Traffic Penalties.** Any person who violates this Section 10-1-21 shall be subject to a forfeiture of not less than Twenty Dollars (\$20.00) nor more than One Hundred Dollars (\$100.00) and upon failure to pay the forfeiture and the costs of prosecution, shall be subject to confinement in the county jail until the forfeiture and costs have been paid but in no event more than thirty (30) days.

SEC. 10-1-91 ENFORCEMENT.

(a) **Enforcement Procedures.**

(1) How Enforced. This Chapter shall be enforced in accordance with the applicable provisions of the Wisconsin Statutes and this Section.

(2) 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 Circuit Court in accordance with the provisions of Wis. Stat. § 345.20(2)(b) and Wis. Stat. ch. 800.

(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 traffic violations and violations of Wis. Stat. §§ 346.71 through 346.73. Violations of §§ 346.71 through 346.73 shall be reported to the District Attorney and the Wisconsin Uniform Traffic Citation shall not be used in such cases except upon written request of the District Attorney.

(2) Parking Citations. The City Attorney and Chief of Police shall recommend to the Common Council a citation for use in enforcing the non-moving traffic offenses in this Chapter. Such citation may 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. The citation for non-moving traffic violations shall contain a notice that the person cited may discharge the forfeiture for violation of a non-moving traffic regulation and penalty thereof by complying with Subsection (c)(2) of this Section. Non-moving traffic citations may be issued by law enforcement officers or by civilian employees of the Police Department.

(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 the Wisconsin Statutes. Stipulations of guilt or no contest may be made by persons arrested for violations of this Chapter in accordance with Wis. Stat. § 66.0114 whenever the provisions of Wis. Stat. § 345.27 are inapplicable to such violations. Stipulations shall conform to the form contained in the uniform traffic citation and complaint under Wis. Stat. § 345.11.

b. Delivery or Mailing of Deposit and Stipulation. Any person stipulating to guilt or no contest under the preceding Subsection must make the deposit required under Wis. Stat. § 345.26 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 Common Council. Deposits

may be brought or mailed to the Clerk of Circuit Court or Police Department within five (5) days of the issuance of the citation in lieu of court appearance.

c. **Receipt Required.** Every official accepting a stipulation under the provisions of this Chapter shall comply with the provisions of Wis. Stat. §§ 343.27, 343.28, 345.26(l)(a), and 345.27(2) 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 Wis. Stat. § 345.11. The official or person receiving the deposit shall furnish and deliver or mail an original receipt for such deposit to the alleged violator and shall deliver the deposit and stipulation, and a copy of the receipt within ten (10) days to the Clerk of Circuit Court.

(2) Non-moving 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 Clerk of Circuit Court the minimum forfeiture specified for the violation. When payment is made as provided in this paragraph, no court costs shall be charged.

b. **Court Prosecution.** If the alleged violator does not deliver or mail a deposit as provided in Subsection a. within fifteen (15) days of the date of the citation, the Chief of Police shall forward a copy of the citation to the City Attorney for prosecution.

c. **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 City 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 Wis. Stat. § 345.28(4) and Subsection (c)(3) below.

d. **Deposits Returned to Clerk of Circuit Court.** Officers receiving deposits for non-moving traffic violations under this Subsection shall pay over such deposits to the Clerk of Circuit Court within seven (7) days of receipt. Such payment shall be

accompanied by an itemized statement for each deposit of the offense charged and the name of the depositor.

e. Bond. Any official authorized to accept deposits under Wis. Stat. § 345.26 or this Section shall qualify by taking the oath prescribed by Wis. Stat. § 19.01.

(3) Notice of Demerit Points and Received. Every officer accepting a forfeited penalty or money deposit under this Section shall receipt therefore in triplicate as provided in Wis. Stat. § 345.26(3)(b). Every officer accepting a stipulation under the provisions of this Section shall comply with the provisions of Wis. Stat. §§ 343.27, 343.28, 345.26(l)(a), and 345.27(2) 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 Wis. Stat. § 345.11.

(4) Registration Suspension Program.

a. The City shall participate in the Wisconsin Department of Transportation Traffic Violation and Registration Program as set forth in Wis. Stat. § 345.28 and Wis. Admin. Code Ch. Trans. 128 and all amendments or changes thereto.

b. The Police Department is hereby designated as a delegated authority for purposes of Wis. Stat. § 85.13 and 545.28 and Wis. Admin. Code Ch. Trans. 128. The Police Department is authorized to perform, on behalf of the City, 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 or 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 City 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. The Chief of Police is hereby authorized to assign a member of the Police Department to perform such acts as are necessary to effectuate this Subsection.

d. 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 Wis. Stat. § 345.28(4)(d). The Police Department 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.

e. This Subsection 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 City's participation in such program shall be in addition to any and all other means legally available to enforce such citations.

State Law Reference: Wis. Stat. § 345.28; Wis. Admin. Code Ch. Trans. 128.

SCHEDULE A

STOP INTERSECTIONS

(Part of Section 10-1-25, Stop Intersections)

- (1) All traffic proceeding Northbound on South Bruns Street at its intersection with Roberts Place.
- (2) All traffic proceeding Southbound on South Bruns Street at its intersection with Roberts Place, except vehicles turning right thereat.
- (3) All traffic proceeding Southbound on Dewey Lane at its intersection with Reed Street, except vehicles turning right thereat.
- (4) All traffic proceeding Northbound on Dewey Lane at its intersection with Reed Street.
- (5) All traffic proceeding Westbound on Roberts Place at its intersection with South Bruns Street.
- (6) All traffic proceeding Northbound on Depot Road at its intersection with Stafford Street.
- (7) All traffic proceeding Northbound on Appleton Street at its intersection with Thayer Street.
- (8) All traffic proceeding Northbound on Sunset Drive at its intersection with Laack Street.
- (9) All traffic proceeding Westbound on Loebe Drive at its intersection with Parkview Drive.
- (10) All traffic proceeding Southbound on North Milwaukee Street at its intersection with the railroad tracks.
- (11) All traffic proceeding Southbound on Krumrey Street at its intersection with Suhrke Road.
- (12) All traffic proceeding Westbound on Summit Street at its intersection with Fond du Lac Avenue.
- (13) The intersection of Mill Street and Milwaukee Street is designated as a four-way stop intersection for all traffic.

- (14) The intersection of Smith Street and Edna Street is designated as a four-way stop intersection for all traffic.
- (16) All traffic proceeding Southbound on Park Street at its intersection with Fond du Lac Avenue.
- (17) Krumrey Street approaching its intersection with Grove Street from the south.
- (18) All traffic proceeding Eastbound on East Riverbend Drive at its intersection with Appleton Street.
- (19) All traffic proceeding Westbound on East Clifford Street at its intersection with Appleton Street.
- (20) All traffic proceeding Eastbound on Adrian Court at its intersection with South Highland Avenue.
- (21) All traffic proceeding Eastbound on East Prospect Avenue approaching its intersection with Appleton Street.
- (22) All traffic proceeding Westbound on Egan Street at its intersection with McColm Street.
- (23) All traffic proceeding Northbound and Southbound on Pilgrim Road at its intersection with County Road "PP."
- (24) All traffic proceeding Eastbound on Dewey Lane at its intersection with S. Bruns Street.
- (25) All traffic proceeding Westbound on Adrian Court at its intersection with S. Bruns Street.
- (26) All traffic proceeding Southbound on South Bruns Street at its intersection with East Clifford Street.
- (27) The intersection of Smith Street and Elizabeth Street is designated as a four-way stop intersection for all traffic.
- (28) All traffic proceeding Southbound on Brian Street at its intersection with Chaplin Court.
- (29) All traffic proceeding Northbound on Brian Street at its intersection with Suhrke Road.

- (30) All traffic proceeding Southbound on Woodland Road at its intersection with Chaplin Court.
- (31) All traffic proceeding Northbound on Woodland Road at its intersection with Suhrke Road.
- (32) All traffic proceeding Southbound on Oak Ridge Drive at its intersection with South Hills Drive.
- (33) All traffic proceeding Southbound on Beech Drive at its intersection with South Hills Drive.
- (34) All traffic proceeding Northbound on Beech Drive at its intersection with South Hills Drive.
- (35) All traffic proceeding Northbound on Maple Drive at its intersection with South Hills Drive.
- (36) All traffic proceeding Southbound on Ash Circle at its intersection with Maple Drive.
- (37) All traffic proceeding Westbound on Maple Drive at its intersection with Beech Drive.
- (38) All traffic proceeding Westbound on Maple Drive at its intersection with South Hills Drive.
- (39) All traffic proceeding Eastbound on Maple Drive at its intersection with Beech Drive.
- (40) All traffic proceeding Southbound on South Hills Drive at its intersection with Hill and Dale Road.
- (41) All traffic proceeding Southbound on Beech Drive at its intersection with Hill and Dale Road.
- (42) All traffic proceeding Southbound on Appleton Street at its intersection with Beth Circle.
- (43) All traffic proceeding Eastbound on Ann Drive at its intersection with Beth Circle.
- (44) All traffic proceeding Southbound on Jennie Drive at its intersection with South River Boulevard.

- (45) All traffic proceeding Northbound on Jennie Drive at its intersection with Ann Drive.
- (46) All traffic proceeding Southbound on Ann Drive at its intersection with South River Boulevard.
- (47) All traffic proceeding Southbound on Beth Circle at its intersection with South River Boulevard.
- (48) All traffic proceeding Northwesterly on Schwartz Street at its intersection with Sunset Drive.
- (49) All traffic proceeding Southbound on Spring Street at its intersection with West Mill Street.
- (50) All traffic proceeding Northbound on Mulberry Lane at its intersection with East Clifford Street.
- (51) All traffic proceeding Southbound on Sunset Drive at its intersection with Bruhy Road.
- (52) All traffic proceeding Southbound on Sunset Drive at its intersection with Bruhy Road.
- (53) All traffic proceeding Eastbound on Bruhy Road at its intersection with Sunset Drive, excepting traffic turning right.
- (54) All traffic on Davenport Road approaching its intersection with Dreifuerst Road.
- (55) All traffic proceeding Southbound on Jennie Drive approaching its intersection with South River Boulevard.
- (56) All traffic proceeding Northbound on Jennie Drive approaching its intersection with Ann Drive.
- (57) All traffic proceeding Eastbound on Ann Drive approaching its intersection with Beth Circle.
- (58) All traffic proceeding Southbound on Ann Drive approaching its intersection with South River Boulevard.
- (59) All traffic proceeding Eastbound and Westbound on Beth Circle at its intersection with Appleton Street.

- (60) All traffic proceeding Eastbound and Westbound on South River Boulevard at its intersection with Beth Circle.
- (61) All traffic proceeding Eastbound and Westbound on Clifford Street at its intersection with Bruns Avenue.
- (62) All traffic proceeding Northbound and Southbound on Bruns Avenue at its intersection with Clifford Street.
- (63) All traffic proceeding Eastbound and Westbound on Hummingbird Lane at its intersection with Oriole Lane.
- (64) All traffic proceeding Northbound on Oriole Lane at its intersection with Hummingbird Lane.
- (65) All traffic proceeding Southbound on Oriole Lane at its intersection with Mockingbird Lane.
- (66) All traffic proceeding Eastbound on Hummingbird Lane at its intersection with Highland Avenue.
- (67) All traffic proceeding Eastbound on Valley Road at its intersection with Pleasant View Road.
- (68) All traffic proceeding Eastbound and Westbound on Poch Avenue at its intersection with Plaza Lane.
- (69) All traffic proceeding Northbound and Southbound on Plaza Lane at its intersection with Poch Avenue.
- (70) All traffic proceeding Northbound and Southbound on Plaza Lane at its intersection with Douglas Drive.
- (71) All traffic proceeding Eastbound and Westbound on Douglas Drive at its intersection with Plaza Lane.
- (72) All traffic proceeding Westbound on Ryan Avenue at its intersection with Plaza Lane.
- (73) All traffic proceeding Westbound on Travis Court at its intersection with Plaza Lane.
- (74) All traffic proceeding Eastbound on Douglas Drive at its intersection with Pleasant View Road.

- (75) All traffic proceeding Eastbound on Egan Street at its intersection with E. Clifford Street and Byron Street.
- (76) All traffic proceeding Northbound on Clark Street at its intersection with E. Clifford Street.
- (79) All traffic proceeding Northbound on Walton Drive at its intersection with Kiley Way.
- (80) All traffic proceeding Southbound on Walton Drive at its intersection with Kiley Way.
- (81) All traffic proceeding Northbound on Carr Road at its intersection with Kiley Way.
- (82) All traffic proceeding Southbound on Carr Road at its intersection with Eastern Avenue.
- (83) All traffic proceeding Westbound on Kiley Way at its intersection with Pleasant View Road.
- (84) All traffic proceeding eastbound on Hummingbird Lane at its intersection with Highland Avenue.
- (85) All traffic proceeding westbound on Larkspur Road at its intersection with Highland Avenue.
- (86) All traffic proceeding southbound on Prairie Road, at its intersection with County Road "PP."
- (87) All traffic proceeding Northbound on Upper Greystone Drive at its intersection with Hill & Dale Road.
- (88) All traffic proceeding Northbound on Lower Greystone Drive at its intersection with Hill & Dale Road.
- (89) All traffic proceeding Westbound on Pickett Street at its intersection with Pleasant View Road.
- (90) All traffic proceeding Westbound on Babcock Street at its intersection with Pleasant View Road.
- (91) All traffic proceeding Eastbound on Babcock Street at its intersection with Pickett Street.

- (92) All traffic proceeding Northbound on Hazen Street at its intersection with Babcock Street.
- (93) All traffic proceeding Westbound on Valley Road at its intersection with South Pleasant View Road.
- (94) All traffic proceeding Westbound on Trail Ridge Lane at Meadow Ridge Lane.
- (95) All traffic proceeding Northbound on Tumbler Ridge Way at Meadow Ridge Lane.
- (96) All traffic proceeding Eastbound on Ridge Point Drive at Meadow Ridge Lane.
- (97) All traffic proceeding Northbound on Meadow Ridge Lane at Summit Street.
- (98) All traffic proceeding Southbound on Linwood at Douglas Drive.
- (99) All traffic proceeding Southbound on Stoneybrook Lane at Douglas Drive.
- (100) All traffic proceeding Southbound on Sartori Whey at County Road "PP."
- (101) All traffic proceeding Southbound on Lindorfer Road at County Road "PP."
- (102) All traffic proceeding Southbound on Ollie Lane at County Road "PP."
- (103) All traffic proceeding Southbound on Plaza Lane at Eastern Avenue.
- (104) All traffic proceeding Westbound on Cloverdale Lane at Upper Greystone Drive.
- (105) All traffic proceeding Eastbound on Cloverdale Lane at Greystone Drive.
- (106) All traffic proceeding Northbound on Ryan Avenue at Douglas Drive.
- (107) All traffic proceeding Eastbound and Westbound on Reed Street at Selma Street.
- (108) All traffic proceeding Eastbound and Westbound on Reed Street at Mead Avenue.

SCHEDULE B

YIELD INTERSECTIONS

(Part of Section 10-1-26, Yield Intersections)

Yield Right-of-Way signs shall be erected at the following locations:

- (1) Meadow Lane approaching its intersection with Riverview Drive from the north.
- (2) Torke Terrace approaching its intersection with Riverview Drive from the north.
- (3) Franklin Street approaching its intersection with Park Street from the east.
- (4) Fremont Street approaching Park Street intersection from the west.
- (5) Franklin Street approaching its intersection with Park Street from the west.
- (6) Park Place approaching its intersection with Summit Street from the south.
- (7) Plymouth Street approaching its intersection with Summit Street from the north.
- (8) Franklin Street approaching its intersection with Plymouth Street from the west.
- (9) Edna Street approaching its intersection with North Street from the west.
- (10) Forest Avenue approaching its intersection with North Street from the west.
- (11) Collins Street approaching its intersection with Stafford Street from the east.
- (12) Huson Court approaching its intersection with Collins Street from the south.
- (13) Mead Avenue approaching its intersection with Collins Street from the south.
- (14) Adrian Court approaching its intersection with Highland Avenue from the south.

- (15) Bonnie Court approaching its intersection with Bishop Avenue from the west.
- (16) Caroline Street approaching its intersection with Forest Avenue from the south.
- (17) Stafford Street approaching its intersection with Forest Avenue from the south.
- (18) Grove Street approaching its intersection with Sunset Drive from the east.
- (19) Samuel Circle approaching its intersection with Douglas Drive.
- (20) Adrian Court approaching Bruns Avenue from the west.
- (21) Mead Avenue Southbound approaching its intersection with East Clifford Street.
- (22) Spring Street Southbound approaching its intersection with West Mill Street.
- (23) Eastman Street Eastbound approaching its intersection with Appleton Street.
- (24) Home Avenue Eastbound approaching its intersection with North Street.
- (25) Alfred Street Westbound approaching its intersection with North Street.
- (26) Oakridge Drive at its intersection with Beech Drive.
- (27) Beech Court at its intersection with Beech Drive.
- (28) Ann Court at its intersection with South River Boulevard.
- (29) Jennie Court at its intersection with South River Boulevard.
- (30) Brian Street proceeding Southbound at its intersection with Suhrke Road.
- (31) Woodland Road proceeding Southbound at its intersection with Suhrke Road.
- (32) Karasan Court at its intersection with Chaplin Street.
- (33) Airpark Road at its intersection with Wilson Street.
- (34) Harvey Drive at its intersection with Wilson Street.

- (35) Rustic Road proceeding Westbound at its intersection with Wilson Street.
- (36) Bittersweet Lane, Westbound approaching its intersection with South Bruns Street.
- (37) Mulberry Lane, Eastbound approaching its intersection with South Bruns Street.
- (38) Buttercup Drive, southbound, approaching its intersection with Songbird Court.
- (39) Buttercup Drive, northbound, approaching its intersection with Fairfield Lane.
- (40) Fond du Lac Avenue at its intersection with Plymouth Street.
- (41) Park Street at its intersection with East Main Street.
- (42) Commerce Street, northbound, approaching its intersection with East Clifford Street.
- (43) Southbound on Oriole Lane at its intersection with Mockingbird Lane.
- (44) Northbound on Oriole Lane at its intersection with Hummingbird Lane.
- (45) Eastbound on Mockingbird Lane at its intersection with Killdeer Lane.
- (46) Northbound on Killdeer Lane at its intersection with Hummingbird Lane.
- (47) Southbound on Larkspur Road at its intersection with Prairie Road.
- (48) Southbound on Daylily Court at its intersection with Prairie Road.
- (49) East Clifford Street, East bound, approaching its intersection with Egan Street.
- (50) All traffic proceeding Eastbound on Trail Ridge Lane at Tumbler Ridge Way.
- (51) All traffic proceeding Northbound on Lanes End Drive at Meadow Ridge Lane.
- (52) All traffic proceeding Westbound on Briarwood Lane at Greystone Drive.

SCHEDULE C

NO PARKING AT ANY TIME

(A part of Section 10-1-47, Parking Prohibited At Any Time)

No person shall park a vehicle at any time in any of the following places:

- (1) Bishop Avenue, west side, from Eastern Avenue north 1400 feet.
- (2) Byron Street, west side.
- (3) Caroline Street:
 - a. West side, from Mill Street north 125 feet.
 - b. East side, from Mill Street north 50 feet.
 - c. East side, from East Main Street south 50 feet.
- (4) Depot Road, east side, between Reed Street and Stafford Street.
- (5) Eastern Avenue:
 - a. South side, from North Street east to its intersection with Pleasantview Road.
 - b. North Side, from North Street to a point 140 feet east of its intersection with South Street.
 - c. North side, from North Bruns Avenue, east to its intersection with Pleasantview Road.
- (6) Elizabeth Street, south side, from Western Avenue to Caroline Street.
- (7) Factory Street:
 - a. West side, from its intersection with Schwartz Street, south 100 feet.
 - b. East side, from a point 180 feet north of Western Avenue to a point 258 feet north of Western Avenue.
- (8) Fairview Drive:
 - a. West side, from Eastern Avenue to a point 525 feet north of Kensington Avenue.
 - b. West side, from Kensington Avenue north 552 feet.
 - c. West side, from a point 460 feet north of Dreifuerst Road to STH 23.
 - d. East side, from Eastern Avenue, North 60.00 feet.
 - e. East side, from Kensington Avenue, North 70.00 feet.
 - f. East side, from a point 1160 feet north of Dreifuerst Road, to STH 23.

- (9) Forest Avenue, south side between North Milwaukee Street and Stafford Street.
- (10) Frederick Street, south side, from South Milwaukee Street to the bridge.
- (11) Hein Avenue, west side, between Eastern Avenue and Reed Street.
- (12) South High Street, both sides.
- (13) Highland Avenue:
 - a. East side, from Eastern Avenue south to the south city limits.
 - b. West side, from Eastern Avenue to Kensington Avenue.
- (14) Laack Street:
 - a. West side, from Schwartz Street to Grove Street.
 - b. East side, from Schwartz Street north 75 feet.
- (15) East Main Street:
 - a. South side, from Division Street to North Street.
 - b. South side, from Stafford Street west 76.00 feet.
 - c. South side, from Caroline Street west 30 feet.
 - d. South side, from Caroline Street east 138 feet.
 - e. North side, from Stafford Street west 50 feet.
 - f. North side, from North Street west 50 feet.
 - g. North side, from North Street west 50 feet.
- (16) Loebe Drive, south Side.
- (17) East Mill Street, both sides, from Milwaukee Street to North Street except in officially designated "parking meter spaces".
- (18) West Mill Street:
 - a. Both sides, from Pleasant Street east 75 feet.
 - b. Both sides, from Milwaukee Street west 30 feet.
- (19) South Milwaukee Street:
 - a. West side, between Mill Street and Riverbend Drive.
 - b. East side, between the north exit of the Plymouth Utilities and Mill Street.
- (20) North Milwaukee Street, west side, from Mill Street north to City limits.
- (21) North Milwaukee Street, from a point 86 feet south of its intersection with Elizabeth Street, south to the railroad right-of-way, on the west side.
- (22) North Street:

- a. Both sides, from its intersection with East Main Street to a point 30 feet north therefrom.
 - b. West side, from Home Avenue to a point 102 feet south.
- (23) Park Place, east side, between Main Street and Fond du Lac Avenue.
- (24) Prospect Street:
- a. Both sides, from South Milwaukee Street east 65 feet.
 - b. Both sides, from Appleton Street, west 125 feet.
- (25) Reed Street, south side, between South Milwaukee Street and Hein Avenue.
- (26) Schwartz Street:
- a. South side, from north end of Factory Street, including the short jog at the corner, thence west on Schwartz Street to Sunset Drive.
 - b. North side, from Laack Street east 75 feet.
- (27) Smith Street, west side, between Elizabeth Street and Edna Avenue.
- (28) South Street:
- a. West side, between Eastern Avenue and Reed Street.
 - b. East side, from Eastern Avenue south 225 feet.
- (29) Spring Street, east side.
- (30) Stafford Street:
- a. Both sides, from its intersection with the alley south of East Mill Street, south to the south side of the bridge over the Mullet River.
 - b. West side, from its intersection with East Mill Street to a point 135 feet north therefrom.
 - c. East side, from Mill Street north 230 feet.
 - d. West side, between Forest Avenue and Elizabeth Street.
 - e. East side, from its intersection with East Mill Street to a point 125 feet south therefrom.
 - f. West side, from its intersection with East Main Street to a point 50 feet north therefrom.
- (31) Western Avenue:
- a. North side, from its intersection with West Main Street to a point 25 feet northwest therefrom.
 - b. South side, from its intersection with West Main Street to a point 45 feet northwest therefrom.
- (32) Smith Street:
- a. West side, from East Mill Street north 92 feet.

- b. East side, from Forest Avenue south 45 feet.
- (33) East Main Street:
- a. North side, from Stafford Street west 66 feet.
 - b. North side, from Division Street west 60 feet.
 - c. North side, from Stafford Street east 50 feet.
- (34) West Main Street:
- a. North side, from Pleasant Street west 30 feet.
- (35) Pleasant Street, west side, from West Main Street north 90 feet.
- (36) Edna Street, south side, from Smith Street to Milwaukee Street.
- (37) Elizabeth Street, north side, from its intersection with Western Avenue, east to the railroad crossing.
- (38) North Street, east side, adjacent to the Youth Center building and within 10 feet from the north and the south extensions of such building.
- (39) Suhrke Road, south side, from its intersection with North Milwaukee Street, west 770 feet.
- (40) Fairview Drive, east side, commencing 340 feet North of Kensington Avenue and ending 640 feet North of Kensington Avenue.
- (41) Summit Street:
- a. North side, from Pleasant Street to Park Place.
 - b. North side, from Fond du Lac Avenue east 30 feet.
 - c. South side, from east side of Pleasant Street intersection, west 110 feet.
- (42) Pleasant Street:
- a. West side, from Mill Street to Summit Street.
 - b. West side, from Mill Street north 30 feet.
- (43) Summit Street, north side, from Pleasant Street to Plymouth Street.
- (44) Mead Avenue, west side, from Reed Street to Collins Avenue.
- (45) Parkview Drive, from its intersection with Western Avenue north: For north bound traffic there shall be no parking on the west side adjacent to the median and for south bound traffic there shall be no parking on the east side adjacent to the median.
- (46) East Clifford Street:

- a. South side, from Byron Street to South Street.
 - b. South side, from Appleton Street to Byron Street.
- (47) Kensington Avenue:
- a. Both sides, from Fairview Drive, east 50 feet.
 - b. North side, from a point 177 feet east from Fairview Drive, to a point 211 feet east from Fairview Drive.
- (48) North Bruns Street, both sides, from Fairview School, south to Kensington Avenue.
- (49) Fond du Lac Avenue, south side, from Summit Street east 50 feet.
- (50) Grove Street, north side, from its intersection with Laack Street, east to the railroad tracks.
- (51) Plymouth Street, west side, from Western Avenue, south 100 feet.
- (52) Grove Street, south side, from Laack Street to Sunset Drive, between November 15th and April 1st.
- (53) Sunset Drive, west side, from Laack Street south 180 feet, between November 15th and April 1st.
- (54) South Street, from McColm Street south to County Trunk Highway "PP."
- (55) North Highland Avenue, west side, from its intersection With Eastern Avenue to its intersection with Hilltop Lane.
- (56) South Street, west side, from its intersection with Valley Road, south to the south City limits.
- (57) Douglas Drive, south side, from its intersection with Highland Avenue, west 100 feet.
- (58) Pleasantview Road, both sides, from CTH PP to STH 23.
- (59) North Bruns Street, east side, from its intersection with Eastern Avenue to its intersection with Kensington Avenue, commencing at 8:00 a.m. on the Thursday preceding Labor Day and ending at 11:59 p.m. on Labor Day.
- (60) Suhrke Road, North side, from its intersection with N. Milwaukee Street to its intersection with Krumrey Street.

- (61) County Trunk Highway PP, north side, beginning 900 feet east of the northbound lane of State Trunk Highway 57, and ending 2,500 feet east of the northbound lane of State Trunk Highway 57.
- (62) Riverview Road, east side, from STH 23, north 1,158 feet.
- (63) West Main Street, South Side, from Plymouth Street to Pleasant Street
- (64) Valley Road, south side, from a point 310 feet east of its intersection with the centerline of Highland Avenue, to a point 900 feet east of its intersection with the centerline of Highland Avenue
- (65) Pickett Street, North and East sides.
- (66) Babcock Street, North side.
- (67) Hazen Street, South and West sides.
- (68) Beth Circle, West side, from its intersection with South River Boulevard, north 192 feet.
- (69) Kensington Avenue, north side, between Salem Drive entrance east and exit west.

SCHEDULE D

PARKING PROHIBITED AT CERTAIN TIMES

(A part of Section 10-1-48, Parking Prohibited Certain Times)

No person shall park a vehicle on any of the following streets during the hours indicated:

- (1) West Main Street, north side, from Fond du Lac Avenue west to its western terminus, between November 15th and April 1st.
- (2) Fairview Drive: West side, from Riverview Drive, 1450 feet to the south, on Saturday nights from 6:00 p.m. until 12:00 p.m., during May through September.
- (3) Fairview Drive: East side, from Eastern Avenue to a point 340 feet North of Kensington Avenue, on Saturday nights from 6:00 p.m. until 12:00 p.m., during May through September.
- (4) Highland Avenue, west side, from Eastern Avenue south, to the south City limits.
- (5) Riverview School circle, during school hours.
- (6) Stafford Street, west side, south from Elizabeth Street, 242 feet, during school hours.
- (7) Elizabeth Street, south side, from its intersection with Stafford Street, west 134 feet.
- (8) East Main Street, north side, commencing at the drive apron located at 514 East Main Street, westerly a distance of 44 feet, from 7:00 a.m. to 5:00 p.m., except Saturdays, Sundays and holidays.

SCHEDULE E

LIMITED PARKING

(A part of Section 10-1-49, Limited Parking Zones)

(a) No person shall park a vehicle for more than two (2) consecutive hours on any of the following streets between the hours of 8:00 a.m. and 6:00 p.m., except Saturdays, Sundays and holidays:

- (1) East Main Street, south side, from its intersection with Smith Street, to its intersection with Stafford Street. (This section repealed by Ch. 4, Ord. of 2008.).
- (2) Factory Street, west side, excepting that portion designated in Schedule C and Schedule E (b)(3).
- (3) North Street, both sides, from Mill Street to Main Street.
- (4) Repealed by Ordinance No. 28 on 10/30/07.
- (6) Repealed by Ordinance No. 22 on 7/9/96.
- (7) East Main Street, south side, from Caroline Street to Stafford Street.
- (8) North Milwaukee Street, east side, south from Elizabeth Street 60 feet.
- (9) East Main Street, south side, from Stafford Street to Division Street.
- (10) Repealed.
- (11) Selma Street, east side, from one hundred twenty-five (125) feet south of its intersection with Eastern Avenue to its south end.
- (12) Division Street, both sides, from its intersection with Mill Street to its intersection with Main Street.
- (13) Smith Street, both sides, from its intersection with Mill Street to its intersection with Main Street.
- (14) Stafford Street, both sides, from its intersection with Main Street to its intersection with Mill Street.
- (15) Adrian Court, both sides, September through May.

(b) No person shall park a vehicle for more than thirty (30) consecutive minutes on any of the following streets between the hours of 2:00 a.m. and 6:00 a.m.:

- (1) Mill Street, both sides, between North Street and North Milwaukee Street.
- (2) Stafford Street, both sides, between Mill Street and the railroad tracks to the south thereof.

(Revised 01/11)

(c) No person shall park a motor vehicle for more than thirty (30) consecutive minutes on any of the following streets:

- (1) East Main Street, south side, from Stafford Street to Division Street.
- (2) Division Street, east side, from East Main Street north 65 feet.
- (3) Division Street, East Side, from a point 55 feet south of Elizabeth Street, to a point 55 feet south therefrom, 8 a.m. to 6 p.m. except Saturdays, Sundays, and holidays.

(Revised 5/08)

(d) No person shall park a motor vehicle for more than fifteen (15) consecutive minutes on any of the following streets:

- (1) East Main Street, north side, from a point 60 feet west of Division Street to a point 50 feet east of Stafford Street.
- (2) *Reserved.*
- (3) Stafford Street, west side, south from Elizabeth Street, 242 feet, during school hours.

CHAPTER 2

Bicycles and Play Vehicles

| | |
|--------|------------------------------|
| 10-2-1 | Definitions |
| 10-2-2 | Lighting and Other Equipment |
| 10-2-3 | Rules of the Road |
| 10-2-4 | Play Vehicles |
| 10-2-5 | Bicycle Registration |
| 10-2-6 | General Bicycle Regulations |
| 10-2-7 | Bicycle Penalties |
| 10-2-8 | Play Vehicle Penalties |
| 10-2-9 | In-Line Skates |

SEC. 10-2-1 DEFINITIONS.

As used in this Chapter:

- (a) **Bicycle** means every device propelled by the feet acting upon pedals and having wheels, any two (2) of which are not less than fourteen (14) inches in diameter.
- (b) **Bicycles' Lane** means that portion of a roadway set aside for exclusive use of bicycles and so designated by appropriate signs and markings by the responsible governing body.
- (c) **Bike Route** means any bicycle lane, bicycle way or highway which has been duly designated by the responsible governing body and identified by appropriate signs and markings.
- (d) **Bicycle Way** means any path or sidewalk, or portion thereof, designated for the use of bicycles by the responsible governing body.
- (e) **Carrier** means any device attached to a bicycle designed for carrying articles.
- (f) **Right-of-Way** means the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed, and proximity as to give rise to danger of collision unless one grants precedence to the other.
- (g) **Play Vehicles** means any coaster, skateboard, roller skates, roller blades, wagon, sled, toboggan, unicycle, or toy vehicle upon which a person may ride or operated by human power.

SEC. 10-2-2 LIGHTING AND OTHER EQUIPMENT.

No person shall operate a bicycle upon a highway unless equipped as required in Wis. Stat. § 347.81.

SEC. 10-2-3 RULES OF THE ROAD.

The provisions of Wis. Stat. chs. 346 and 347 and applicable City ordinances shall govern the operation and equipment of bicycles where appropriate.

SEC. 10-2-4 PLAY VEHICLES.

(a) **Skate Boards Prohibited.** No person shall operate a skateboard upon any sidewalk fronting upon any of the following streets within the City of Plymouth:

(1) East Mill Street from its intersection with North Street to its intersection with Milwaukee Street.

(2) Stafford Street from its intersection with East Main Street to its intersection with the south entrance to the East Municipal Parking Lot.

(3) Division Street from its intersection with East Mill Street to its intersection with East Main Street.

(b) **Play Vehicle Areas Prohibited.** No person shall operate or make use of a play vehicle on any public parking lot, grounds, upon any private parking lot held out for public use or upon any private driveway or private property without the owner's express consent.

(c) **Responsibility of Parent or Guardian for Violation of Play Vehicle Regulations.** No parent or guardian of any child shall authorize or knowingly permit such child to violate any of the provisions of this Section.

SEC. 10-2-5 BICYCLE REGISTRATION.

(a) No person shall operate any bicycle upon the public streets or other public areas of the City of Plymouth unless the same shall be registered and a license issued by the Police Department. The license fee shall be Three Dollars (\$3.00) for initial registration and One Dollar (\$1.00) for a transfer of license to a new owner. No license may be issued unless the bicycle is equipped as required by State law, and in safe operating condition.

(b) Any bicycle purchased, sold, or transferred after said period shall be registered by the new owner within thirty (30) days of the date of the change in ownership.

SEC. 10-2-6 GENERAL BICYCLE REGULATIONS.

(a) **Sidewalk Operation.** No person shall operate a bicycle upon a sidewalk in areas designated in Section 10-2-4(a) within the City of Plymouth.

(b) **Street Operation.**

(1) Every bicycle when operated on a roadway shall be kept as close to the right hand curb as possible except when making a left hand turn.

(2) Every person when operating a bicycle upon a roadway shall ride such bicycle in single file.

(3) It shall be unlawful for any person riding upon a bicycle to cling to or attach himself or the bicycle to any other moving vehicle upon a street or highway.

(4) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped. Infant seats are permitted if bolted securely to the frame at the top mount and to the axle and frame at the rear bottom mount and if provided with hand holds, foot rests, foot guards and safety belt. The use of a back pack for carrying an infant is permitted. Persons are not permitted to be located on a bicycle in front of the operator of the bicycle.

(5) No person operating a bicycle shall carry any package, bundle, or article which prevents the safe operation of the bicycle with at least one hand on the handlebars at all times.

(6) No rider of a bicycle shall remove both hands from the handlebars or feet from the pedals, or practice any acrobatic or fancy riding on any street.

(c) **Parking Bicycles.** All bicycles shall be parked in areas set aside and marked for such purpose in parks, playgrounds, and school grounds.

(d) **Required Equipment.**

(1) Every bicycle when operated upon a highway shall be equipped with a brake to control the movement of and to stop such vehicle whenever necessary. Such brake shall be maintained in good working order at all times.

(2) Every bicycle, when operated upon a highway, shall be equipped with a horn or bell in good working order, capable of emitting sound

audible under normal conditions for a distance of not less than one hundred (100) feet, and it shall be unlawful for any bicycle to be equipped with a siren or whistle or to use any such bell or horn otherwise than as a reasonable warning to other users of the highway.

(e) Any abandoned bicycle shall be held by the Plymouth Police Department for a period of thirty (30) days after certified mail notice has been sent to the owner, if the same may be ascertained, and thereafter shall be disposed of by the Chief of Police.

SEC. 10-2-7 BICYCLE PENALTIES.

(a) Any person sixteen (16) years of age or older who shall violate any provision of this Chapter may be issued a Uniform Traffic Citation, and shall be subject to the penalties provided in the Uniform State Traffic Deposit Schedule.

(b) Any person twelve (12) years of age or older who shall violate any provision of this Chapter may be issued a notice of violation and/or citation and shall be subject to penalties provided by the Deposit Schedule, and upon conviction thereof, may be required to forfeit not more than Twenty-five Dollars (\$25.00), together with applicable costs of prosecution, and in default of such payment, the Court may suspend the child's operating privileges as defined in Wis. Stat. § 340.01 for not less than thirty (30) days nor more than ninety (90) days.

(c) Any person under the age of twelve (12) years who shall violate any provision of this Chapter may be issued a warning notice and his/her parents shall be notified of such violation.

(d) Any parent or guardian of any child who authorizes or knowingly permits a child to violate any of the provisions of this Chapter may be subject to the provisions of Wis. Stat. §§ 346.77 and 346.82(1).

SEC. 10-2-8 PLAY VEHICLE PENALTIES.

(a) Any person twelve (12) years of age or over who shall violate any provision of this Chapter may be issued a notice of violation and/or citation and shall be subject to penalties provided by the Deposit Schedule, and upon conviction thereof may be required to forfeit not more than Twenty-five Dollars (\$25.00) together with the applicable costs of prosecution.

(b) Any person under the age of twelve (12) years who shall violate any provision of this Chapter may be issued a warning notice and his/her parents shall be notified of such violation.

(c) Any parent or guardian of any child who authorizes or knowingly permits a child to violate any of the provisions of this Chapter may be subject to the provisions of Wis. Stat. § 346.77 and 346.82(1).

SEC. 10-2-9 IN-LINE SKATES.

(a) **Defined.** "In-line skates" means skates with wheels arranged singly in a tandem rather than in pairs.

(b) **Use Restricted.** The use of in-line skates shall be prohibited upon roadways in the following areas, except while crossing a roadway at a crosswalk:

(1) East Mill Street from its intersection with North Street to its intersection with Milwaukee Street.

(2) Stafford Street from its intersection with East Main Street to its intersection with the south entrance to the East Municipal Parking Lot.

(3) Division Street from its intersection with East Mill Street to its intersection with East Main Street.

(c) **Riding on Roadways.**

(1) Every person using in-line skates upon a public roadway shall be subject to the provisions of all ordinances and laws applicable to the operator of any vehicle, except those provisions with reference to equipment of vehicles and except those provisions which by their nature have no application.

(2) Persons using in-line skates on a two-way public street or alley shall keep as close to the right-hand side as possible and shall proceed in the direction of traffic flow. Every person using in-line skates upon a one-way public street or alley shall proceed in the direction of one-way traffic flow.

(3) Every person using in-line skates upon a roadway shall ride single file on all public roadways which have a centerline or which have lines indicated by painting or other markings. On public roadways and alleys not divided by painted or other marked centerlines or lane lines, in-line skaters may ride two (2) abreast.

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

(5) 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 roadway.

(6) Every person using in-line skates upon a public roadway shall stop for all stop signs and traffic signals in the same manner as is required for motor vehicles.

(7) Every person using in-line skates 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 pursuant to Wis. Stat. § 346.23, 346.24, 346.37, and 346.38.

(d) **Riding on Sidewalks or Walkways.** 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.

(e) **Equipment Required.** Every person using in-line skates between one-half (1/2) hour after sunset and one-half (1/2) hour before sunrise shall be equipped with a lamp firmly attached to the front of such person exhibiting a white light to the front, and shall be equipped with either a reflector not less than three (3) inches in diameter or a lamp exhibiting a red light on the rear visible at a distance of five hundred (500) feet.

(f) **Penalties.** The penalty for any violation of this Section shall be as provided in Section 10-2-7.

CHAPTER 3

Snowmobiles

- 10-3-1 State Snowmobile and All-Terrain Vehicles Laws Adopted
- 10-3-2 Applicability of Traffic Regulations to Snowmobiles
- 10-3-3 Unattended Vehicles
- 10-3-4 Operation on Sidewalks Prohibited
- 10-3-5 Snowmobile Routes and Trails Designated
- 10-3-6 Penalty
- 10-3-7 Enforcement

SEC. 10-3-1 STATE SNOWMOBILE AND ALL-TERRAIN VEHICLES 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 Chapter as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required or prohibited by this Chapter. Any future amendments, revisions, or modifications of the Statutes incorporated herein by reference are intended to be made part of this Code.

- 350.01 Definitions
- 350.02 Operation of Snowmobiles on or in the Vicinity of Highways
- 350.03 Right-of-Way
- 356.04 Snowmobile Races, Derbies and Routes
- 350.045 Public Utility Exemption
- 350.047 Local Utility Exemption
- 350.05 Operation by Youthful Operators Restricted
- 350.055 Safety Certification Program Established
- 350.06 Firearms and Bows
- 350.07 Driving Animals
- 350.08 Owner Permitting Operation
- 350.09 Head Lamps, Tail Lamps and Brakes, Etc.
- 350.10 Miscellaneous Provisions for Snowmobile Operation
- 350.12 Registration of Snowmobiles
- 350.125 Completion of Application for Registration by Snowmobile Dealers
- 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

SEC. 10-3-2 APPLICABILITY OF TRAFFIC REGULATIONS TO SNOWMOBILES.

No person shall operate a snowmobile upon any street, highway, or alley within the City of Plymouth in violation of the traffic regulation provisions of Wis. Stat. §§ 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).

SEC. 10-3-3 UNATTENDED VEHICLES.

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

SEC. 10-3-4 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 City, except as specifically authorized for the purpose of crossing to obtain immediate access to an authorized area of operation.

SEC. 10-3-5 SNOWMOBILE ROUTES AND TRAILS DESIGNATED.

(a) **Operation Prohibited.** No person, firm, or corporation shall operate, or permit the operation of any snowmobile during any time at any of the following locations within the City of Plymouth:

- (1) Upon or within fifty (50) feet of any established ice skating area, whether natural or artificial.
- (2) In the City of Plymouth park known as "Nutt Ski Hill" located south of Western Avenue and North of Main Street.
- (3) In the City of Plymouth park known as "Roosevelt Park" located south of Western Avenue and north of Main Street.
- (4) In the City of Plymouth park bounded by Suhrke Road, Milwaukee Street, Grove Street, and the railroad right-of-way.
- (5) In or upon any cemetery.
- (6) Upon or across any privately-owned property without the consent of the owner thereof in writing.

(7) In or upon any school grounds, playgrounds, or athletic fields, or upon any other property owned by Plymouth School District located within the City of Plymouth without the express written authorization of the governing body thereof. Such areas shall be appropriately signed by the governing body of such school district.

(8) Upon the grounds and premises of the City of Plymouth garage located on Valley Road.

(9) Upon the grounds and premises of the City of Plymouth occupied by the Plymouth Utilities.

(b) **Exception**

(1) An exception to the provisions of Subsection (a) hereof is specifically granted for such snowmobile trails as may be established in City of Plymouth parks by the Park Commission and upon demarcation thereof by appropriate signing.

(2) Any such snowmobile trails shall not exceed eight (8) feet in width. Rules for safe use of such snowmobile trails shall be established by the Park Commission from time to time, and shall be posted near each trail.

(c) **Trail Markers.** The Park Commission is directed and authorized to procure, erect and maintain appropriate snowmobile route, trail and limit signs and markers as approved by the State Department of Natural Resources under Wis. Stat. § 350.13. The Chief of Police shall have the power to declare the stated snowmobile routes and trails either open or closed.

(d) **Markers to be Obeyed.** No person shall fail to obey any route or trail sign, marker or limit erected in accordance with this Section.

Cross Reference: Section 10-4-2.

SEC. 10-3-6 PENALTY.

Any person who shall violate any provision of this chapter shall, upon conviction thereof, forfeit not less than Twenty Dollars (\$20.00) and not more than Five Hundred Dollars (\$500.00) together with the costs of prosecution and, in default of payment thereof, may be imprisoned in the county jail for not exceeding ten (10) days provided no person shall forfeit an amount in excess of the maximum fine or forfeiture allowed in the Wisconsin Statutes for the same offense and further provided that the penalty and forfeiture for parking violations on highways shall be the amount applicable to such violations by owners or operators of motor vehicles under Title 10, Chapter 1, of this Code of Ordinances.

SEC. 10-3-7 ENFORCEMENT.

(a) **Uniform Citation for Highway Violations.** The uniform traffic citation promulgated under Wis. Stat. § 345.11 shall be used for violations of this Chapter relating to highway use except as herein provided.

(b) **Parking Violations.** The special traffic citation described and defined in Title 10, Chapter 1, of this Code of Ordinances shall be used for enforcement of violations of rules of the road relating to parking of vehicles adopted by reference in Section 10-3-1 of this Chapter.

(c) **Other Violations.** All violations of this Chapter not described in Subsections (a) or (b) shall be enforced in accordance with Wis. Stat. §§ 66.0111 and 66.0114. Stipulations of guilt or no contest may be made as provided in Wis. Stat. § 66.0114 in substantially the form provided in the uniform traffic citation within ten (10) days of the date of the citation for such violation. Bail deposits may also be made under Wis. Stat. § 66.0114. Such deposits shall include a Clerk's fee and costs of prosecutions.

(d) **Police Department to Receive Stipulations and Penalties.** Stipulations, forfeited penalties, and deposits for obtaining release from arrest authorized under this Chapter may be accepted at the Police Department offices.

(e) **Forfeited Penalties and Deposits.** Except as otherwise provided in Wis. Stat. § 345.26 and the deposit schedule adopted by the State Board of Circuit Court Judges thereunder, required penalties and deposits or bail not including costs or fees for violation of this Chapter shall be as established by the schedule adopted by the Common Council.

CHAPTER 4

All-Terrain Vehicles and Off-Road Motor Vehicle Operations

- 10-4-1 State All-Terrain Vehicle Laws Adopted
- 10-4-2 Unauthorized Operation of Motor Vehicles on Public or Private Property

SEC. 10-4-1 STATE ALL-TERRAIN VEHICLE LAWS ADOPTED

The provisions describing and defining regulations with respect to all-terrain vehicles in the following enumerated subsections of Wis. Stat. § 23.33 and any future amendments or revisions are hereby adopted by reference and made part of this Section as if fully set forth herein. Any acts required to be performed by the following statutory subsections or which are prohibited by such statutory subsections are required to be performed by this Section or are prohibited by this Section:

- 23.33(2) Registration
- 23.33(3) Rules of operation [including Subsections (a) through (l)]
- 23.33 (4) Operation on or near highway [including Subsections (a) through (e)]
- 23.33(5)(a)(c) Age restrictions
- 23.33(6) Equipment requirements [including Subsections (a) through (e)]
- 23.33(7) Accidents [including Subsections (a) and (b)]
- 23.33(11) Definitions [including Subsections (a) through (n)]

SEC. 10-4-2. UNAUTHORIZED OPERATION OF MOTOR VEHICLES ON PUBLIC OR PRIVATE PROPERTY.

(a) **Purpose.**

- (1) The unauthorized off-road operation of motor vehicles has resulted in serious damage to public and private lands including damage or destruction of vegetation, animal life and improvement to the lands; and
- (2) The unauthorized off-road operation of motor vehicles has resulted in the permanent scarring of land and an increase in both erosion and air pollution; and
- (3) The unauthorized off-road operation of motor vehicles has resulted in collisions and near collisions threatening the life and safety of the operators of such vehicles as well as of other persons; and

(4) The unauthorized off-road operation of motor vehicles has resulted in a loss of the privacy, quietude, and serenity to which the owners and users of land are rightfully entitled.

(b) **Definitions.** For purposes of this Section, the terms below shall be defined as follows:

(1) **Unauthorized** shall mean without the express prior consent of the owner lessee, manager or other person authorized to give consent by the owner or lessee of land. Authorization shall not be implied from a failure to post private or public land.

(2) **Off-Road** shall mean any location which:

- a. Is not a paved or maintained public street or alley; or
- b. Is not used or maintained by the owner or lessee of land as a driveway, parking lot or other way for motor vehicles; or
- c. Is a private trail for use only by the owner or his permittees for recreational or other vehicular use. Off-road shall not include any creek bed, riverbed or lake provided, however, that this Subsection shall not apply to snowmobiles or other motor vehicles being operated on the ice covering such creek bed, riverbed or lake, south of the Edna Street bridge across the Mullet River.

(3) **Operation** shall mean the physical manipulation or activation of any of the controls of a motor vehicle necessary to put it in motion.

(4) **Motor Vehicle** shall mean, for purposes of this Section, any vehicle which is self-propelled and shall include but not be limited to automobiles, trucks, jeeps, vans, motorcycles, motorbikes, go-karts, motorized three-wheeled vehicles, all-terrain vehicles, mopeds, snowmobiles, dune buggies and tractors. Motor vehicle shall not mean any airplane, railroad train, boat, wheelchair, or bicycle. A vehicle which would otherwise be defined as a motor vehicle under this Section shall not be so defined while:

- a. It is being operated solely for the purpose of construction or maintenance of an improvement to land or solely for access to construction or maintenance sites provided such operation is by persons having legitimate business on such lands or sites.
- b. It is being operated by or at the direction of public employees or utility company employees as part of their employment duties.

c. It is being operated by the holder of an easement or right of access on or over the land on which operation is occurring or the holder's employees or agents.

(c) **Unauthorized Off-road Operation Prohibited.**

(1) The unauthorized off-road operation of a motor vehicle is prohibited.

(2) Except for authorized maintenance vehicles and snowmobiles or all-terrain vehicles operating in areas authorized by the Common Council, it shall be unlawful to operate any minibike, go-kart, all-terrain vehicle, or any other motor-driven craft or vehicle principally manufactured for off-highway use on the City streets, alleys, parks, sidewalks, bikeways, parking lots, or on any public lands or private lands or parking lots held open to the public. The operator shall at all times have the written consent of the owner before operation of such craft or vehicle on private lands.

CHAPTER 5

Abandoned and Junked Vehicles

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| 10-5-1 | Abandoned Vehicles; Definitions |
| 10-5-2 | Removal and Impoundment of Vehicles |
| 10-5-3 | Removal, Storage, Notice or Reclaimer of Abandoned Vehicles |
| 10-5-4 | Disposal of Abandoned Vehicles |
| 10-5-5 | Report of Sale or Disposal |
| 10-5-6 | Owner Responsible for Impoundment and Disposal Costs |
| 10-5-7 | Conflict with Other Code Provisions |
| 10-5-8 | Junked Vehicles and Appliances on Private Property |

SEC. 10-5-1 ABANDONED VEHICLES; DEFINITIONS.

(a) **Abandonment of Vehicles Prohibited.** No person shall leave unattended any motor vehicle, trailer, semitrailer or mobile home on any public street or highway or private or public property in the City of Plymouth for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. Whenever any such vehicle has been left unattended on any street or highway in the City of Plymouth or upon private or public property without the permission of the property owner or other person charged with the lawful jurisdiction thereof for more than forty-eight (48) hours, the vehicle shall be deemed abandoned and constitutes a public nuisance.

(b) **Definitions.** For purposes of this Chapter, the following definitions shall be applicable:

(1) **Vehicle** shall mean a motor vehicle, trailer, semitrailer, or mobile home whether or not such vehicle is registered under Wisconsin Law.

(2) **Unattended** shall mean unmoved from its location with no obvious sign of continuous human use.

(3) **Street** shall mean any public highway or alley and shall mean the entire width between the boundary lines of any public way where any part thereof is open to the public for purposes of vehicular traffic.

(c) **Presumptions.** For purposes of this Section, the following irrebuttable presumptions shall apply:

(1) A vehicle shall be presumed unattended if it is found in the same position forty-eight (48) hours after issuance of a traffic ticket or citation and if such traffic ticket or citation remains placed upon the windshield during said forty-eight (48) hours.

(2) Any vehicle left unattended for more than forty-eight (48) hours on any public street or public ground or left unattended for more than forty-eight (48) hours on private property without the consent of the property owner is deemed abandoned and constitutes a nuisance; provided that the vehicle shall not be deemed abandoned under this Subsection if left unattended on private property outside of public view and is enclosed within a building, or if designated as not abandoned by a law enforcement officer.

(d) **Exceptions.** This Section shall not apply to a vehicle in an enclosed building or a vehicle stored on a premises licensed for storage of junk or junked vehicles and fully in compliance with City zoning regulations.

SEC. 10-5-2 REMOVAL AND IMPOUNDMENT OF VEHICLES.

Any vehicle in violation of this Chapter shall be removed and impounded until lawfully claimed or disposed of under the provisions of Section 10-5-3.

SEC. 10-5-3 REMOVAL, STORAGE, NOTICE, OR RECLAIMER OF ABANDONED VEHICLES.

(a) **Applicability.** The provisions of this Section shall apply to the removal, storage, notice, reclaimed or disposal of abandoned vehicles as defined in Section 10-5-1.

(b) **Removal.**

(1) Any police officer who discovers any motor vehicle, trailer, semitrailer, or mobile home on any public street or highway or private or public property in the City of Plymouth which has been abandoned shall cause the vehicle to be removed to a suitable place of impoundment.

(2) Upon removal of the vehicle, the police officer shall notify the Chief of Police or his designee of the abandonment and of the location of the impounded vehicle.

(c) **Storage and Reclaimer.** Any abandoned vehicle which is determined by the Chief of Police or his designee to be abandoned shall be retained in storage for a period of fourteen (14) days after certified mail notice, as hereinafter provided, has been sent to the Wisconsin titled owner and/or secured party of record with the Wisconsin Motor Vehicle Division, except that if the Chief of Police or his designee determines an abandoned vehicle to have a value of less than One Hundred Dollars (\$100.00) or that the cost of towing and storage charges for impoundment will exceed the value of the vehicle, it may be junked or sold by direct sale to a licensed salvage dealer after having been retained in storage for a period of seven (7) days and after certified mail notice, as

hereinafter provided, has been sent to the Wisconsin titled owner or secured party of record with the Wisconsin Motor Vehicle Division provided that it is first determined that the vehicle is not reported stolen or wanted for evidence or other reason. All substantially complete vehicles in excess of nineteen (19) model years of age shall be deemed as having value in excess of One Hundred Dollars (\$100.00). Any such vehicle which may be lawfully reclaimed may be released upon the payment of all accrued charges, including towing, storage, and notice charges and upon presentation of the vehicle title or other satisfactory evidence to the Chief of Police or his designee to prove an ownership or secured party interest in said vehicle.

(d) **Notice to Owner or Secured Party.** Certified mail notice, as referred to herein, shall notify the Wisconsin titled owner of the abandoned vehicle, if any, and/or the secured party of record with the Wisconsin Motor Vehicle Division, if any, of the following:

- (1) That the vehicle has been deemed abandoned and impounded by the City of Plymouth;
- (2) The "determined value" of the abandoned vehicle;
- (3) If the cost of towing and storage costs will exceed the determined value of the vehicle;
- (4) That if the vehicle is not wanted for evidence or other reason, the vehicle may be reclaimed upon the payment of all accrued charges, including towing, storage and notice charges, within fourteen (14) days of the date of notice, unless the vehicle has been determined to have a value less than One Hundred Dollars (\$100.00) or that the cost of towing and storage charges for impoundment will exceed the value of the vehicle, in which case the vehicle may be reclaimed within seven (7) days upon the payment of the aforesaid charges; and
- (5) That the owner or aforesaid secured party may, upon request, be granted a hearing relating to the determinations made with respect to said vehicle within the period that such vehicles may be reclaimed.

SEC. 10-5-4 DISPOSAL OF ABANDONED VEHICLES.

Any abandoned vehicle impounded by the City which has not been reclaimed or junked or sold by direct sale to a licensed salvage dealer pursuant to the provisions of this Chapter may be sold by public auction sale or public sale calling for the receipt of sealed bids. A Class I Notice, including the description of the vehicles, the name(s) and address(es) of the Wisconsin titled owner and secured party of record, if known, and the time of sale shall be published before the sale.

SEC. 10-5-5 REPORT OF SALE OR DISPOSAL.

Within five (5) days after the direct sale or disposal of a vehicle as provided for herein, the Chief of Police or his designee shall advise the State of Wisconsin Department of Transportation, Division of Motor Vehicles, of such sale or disposal on a form supplied by said Division. A copy of the form shall be given to the purchaser of the vehicle enabling the purchaser to obtain a regular certificate of title for the vehicle. The purchaser shall have ten (10) days to remove the vehicle from the storage area but shall pay a reasonable storage fee established by the City for each day the vehicle remains in storage after the second business day subsequent to the safe date. Ten (10) days after the sale the purchaser shall forfeit all interest in the vehicle and the vehicle shall be deemed to be abandoned and may be sold again. Any listing of vehicles to be sold by the City shall be made available to any interested person or organization which makes a written request for such list to the Police Department. The Police Department may charge a reasonable fee for the list.

SEC. 10-5-6 OWNER RESPONSIBLE FOR IMPOUNDMENT AND DISPOSAL COSTS.

(a) The owner of any abandoned vehicle, except a stolen vehicle, is responsible for the abandonment and all costs of impounding and disposing of the vehicle. Costs not covered from the sale of the vehicle may be recovered in a civil action by the City against the owner.

(b) Payment of removal and impoundment costs is not required when the vehicle has been impounded for purposes of law enforcement investigation.

SEC. 10-5-7 CONFLICT WITH OTHER CODE PROVISIONS.

In the event of any conflict between this Section and any other provisions of this Municipal Code, this Chapter shall control.

SEC. 10-5-8 JUNKED VEHICLES AND APPLIANCES ON PRIVATE PROPERTY.

(a) **Storage of Automobiles Restricted.** No disassembled, inoperable, unlicensed, junked or wrecked motor vehicles, truck bodies, tractors, trailers, farm machinery, vehicle parts or tires, or appliances, and no parts or accessories thereof, shall be stored upon private or public property unenclosed outside a building within the City of Plymouth for a period exceeding three (3) days unless it is in connection with an authorized business enterprise located in a properly zoned area maintained in such a manner as to not constitute a public nuisance. The outside storage of vehicle tires is prohibited in all districts.

(b) **Definitions.**

(1) The term "disassembled, inoperable, junked or wrecked motor vehicles, truck bodies, tractors, trailers" as used in this Section is defined as follows: motor vehicles, recreational vehicles, truck bodies, tractors, farm machinery or trailers in such state of physical or mechanical ruin as to be incapable of propulsion, being operated upon the public streets or highways or which is otherwise not in safe or legal condition for operation on public streets or highways due to missing or inoperative parts, flat or removed tires, expired or missing license plates or other defects.

(2) The term "unlicensed motor vehicles, truck bodies, tractors or trailers" as used in this Chapter is defined as follows: motor vehicles, truck bodies, tractors, recreational vehicles or trailers which do not bear lawful current license plates.

(3) The term "motor vehicle" is defined in Wis. Stat. § 340.01(35).

(4) The term "inoperable appliance" is defined as any stove, washer, refrigerator, or other appliance which is no longer operable in the sense for which it was manufactured.

(c) **Exceptions.** This Section shall not apply to any motor vehicle or motor vehicle accessories stored within an enclosed building or on the premises of a business enterprise (other than tires) operated in a lawful place and manner in a properly zoned area when necessary to the operation of such business enterprise, in a storage place or depository maintained in a lawful place and manner, or seasonal use vehicles such as snowmobiles, motorcycles, motor scooters and nonmotorized campers, provided such vehicles are stored in compliance with the Ordinances of the City. Also excepted are motor vehicles registered pursuant to Wis. Stat. § 341.265 and 341.266. In other situations the Police Department may issue temporary permits permitting an extension of not to exceed an additional thirty (30) days' time to comply with this Section where exceptional facts and circumstances warrant such extension.

(d) **Enforcement.**

(1) Whenever the Police Department shall find any vehicles, vehicle parts or tires, or appliances, as described herein, placed or stored in the open upon private property within the City, they shall notify the owner of said property on which said vehicle or appliance is stored of the violation of this Section. If said vehicles or part(s) thereof or appliance is not removed within three (3) days, the Police Department shall cause to be issued a citation to the property owner or tenant of the property upon which said vehicle or appliance is stored.

(2) If such vehicle or appliance is not removed within ten (10) days after issuance of a citation, the Chief of Police shall cause the vehicle or appliance to be removed and impounded, and it shall thereafter be disposed of as prescribed in Sections 10-5-3 through 10-5-6 by the Chief of Police or his duly authorized representative. Any cost incurred in the removal and sale of said vehicle or appliance shall be recovered from the owner. However, if the owner of the vehicle or appliance cannot readily be found, the cost of such removal shall be charged to the property from which it is removed, which charges shall be entered as a special charge on the tax roll.

(e) **Penalty.** Any person who shall interfere with the enforcement of any of the provisions of this Section and shall be found guilty thereof shall be subject to a penalty as provided in Section 1-1-7. Each motor vehicle or appliance involved shall constitute a separate offense.

State Law Reference. Wis. Stat. § 342.40.

History: Ord. 16, 2011; Ord. 18, 2011; Ord. 13, 2012; Ord. 3, 2013; Ord. 7, 2014; Ord. 8, 2014; Ord. 9, 2016; Ord 10, 2016, Ord. 12, 2016

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