CHAPTER 7

TRAFFIC CODE

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7.01 **STATE TRAFFIC LAWS ADOPTED**. Except as otherwise specifically provided in this chapter, the statutory provisions in Chs. 110 and 340 to 348, Wis. Stats., describing and defining regulations with respect to vehicles and traffic, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment are hereby adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this chapter. Any future amendments, revisions, or modifications of the statutes incorporated herein are intended to be made part of this chapter in order to secure uniform state-wide regulation of traffic on the highways, streets, and alleys of the State of Wisconsin. (2308 05/26/09)

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

(1) DUTY OF STREET SUPERINTENDENT TO ERECT AND INSTALL UNIFORM TRAFFIC CON-TROL DEVICES. Whenever traffic regulations created by this chapter, including a State of Wisconsin traffic regulation adopted by reference in §7.0l of this chapter, require the erection of traffic control devices for enforcement, the Street Superintendent shall procure, erect and maintain uniform traffic control devices conforming to the Uniform Traffic Control Device Manual promulgated by the Wisconsin Department of Transportation, giving notice of such traffic regulation to the users of the streets and highways on which such regulations apply. Whenever State law grants discretion to local authorities in erecting or placement of a uniform traffic control device, devices shall be erected in such locations and in such a manner as in the judgment of the Chief of Police will carry out the purposes of this chapter and give adequate warning to users of the streets and highways of the City. (2033 11/14/2000)

(2) OFFICIAL TRAFFIC MAP.

(a) Official Traffic Map Established. There is hereby established for the City of Baraboo an Official Traffic Map dated June l, 1986, on which is Indicated as of said date all existing stop signs; Arterial intersections; yield signs; no parking Areas; no stopping, standing or parking areas; Restricted parking areas; handicap parking areas; and all other restrictions or limitations contained in this chapter and which the laws of the State of Wisconsin require the erection or use of official traffic control devices to enforce such restrictions or limitations. All such restrictions and limitations set forth on said Official Traffic Map are hereby adopted by reference.

(b) Revisions to Map.

1. Additions and Deletions to Map. The Council may, from time to time, make additions to or deletions from the Official Traffic Map and the City Engineer, shall keep such Official Traffic Map current. Every addition to said Official Traffic Map made after December l, 1986, shall indicate the number of the authorizing ordinance and the date the appropriate official traffic control device was erected, and every deletion shall indicate the number of the authorizing ordinance. (2033 11/14/2000, 2519 5/28/2019)

2. Ordinances Changing Map. Ord. #s: 1457, 1460, 1461, 1472, 1474, 1486, 1496, 1529, 1532, 1533, 1535, 1549, 1554, 1564, 1565, 1566, 1582, 1583, 1584, 1611, 1614, 1620, 1627, 1650, 1651, 1658, 1694, 1695, 1728, 1737, 1838, 1839, 1847, 1857, 1858, 1884, 1906, 1916, 1917, 1918, 1931, 1943, 1955, 1959, 1968, 1977, 1990, 1991, 1992, 2006, 2007, 2020, 2022, 2024, 2028, 2057, 2062, 2065, 2071, 2075, 2076, 2085, 2089, 2090, 2104, 2106, 2107, 2111, 2112, 2125, 2133, 2134, 2152, 2153, 2170, 2171, 2184, 2185, 2193, 2201, 2203, 2215, 2217, 2220, 2234, 2239, 2241, 2244, 2256, 2264, 2274, 2285, 2289, 2298, 2301, 2302, 2316, 2320, 2327, 2329, 2333, 2336, 2337, 2351, 2356, 2364, 2371, 2377, 2382, 2388, 2400, 2408, 2421, 2425, 2447, 2451, 2465, 2473, 2474, 2483, 2500, 2518, 2519, 2532, 2540, 2554, 2561

(c) Map to be Maintained. The Official Traffic Map shall be maintained and displayed in the Engineering Department. The City Engineer, or his/her designee, shall make appropriate authorized changes on said Map within 3 working days after the appropriate official traffic control device is erected or removed, as the case may be. (1738 05/31/94, 2033 11/14/2000)

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

(3) PROHIBITED SIGNS AND MARKERS IN HIGHWAYS. No person other than an officer authorized by this chapter to erect and maintain official traffic control devices, or his designee, shall place within the limits of any street or highway maintained by the City any sign, signal, marker, mark or monument unless permission is first obtained from the Chief of Police or the State Highway Commission. Any sign, signal, marker, mark or monument placed or maintained in violation of this subsection shall be subject to removal, as provided in sub. (4) below.

(4) REMOVAL OF UNOFFICIAL SIGNS, SIGNALS, MARKERS AND TRAFFIC CONTROL DEVICES. The Chief of Police may direct the Street Superintendent to remove any sign, signal, marker or other device which is placed, maintained or displayed in violation of this chapter or State law. Any charge imposed against premises for removal of a prohibited or illegal sign, signal, marker or device shall be reported by the Street Superintendent to the 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 l5 shall be placed upon the tax roll for collection as other special municipal taxes. (2033 11/14/2000)

7.03 THROUGH HIGHWAYS AND CONTROLLED INTERSECTIONS DESIGNATED.

(1) THROUGH HIGHWAYS DESIGNATED. In the interest of public safety and pursuant to the authority granted by Wisconsin law, the following streets or portions thereof are declared to be through highways: (1930 02/24/98)

(a) 8th Street and 8th Avenue, from City limits to City limits.

(b) East Street, from the north curbline of 8th Avenue north to the City limits. (1977 05/18/99)

(c) Broadway, from the south curbline of 8th Avenue, south to the north curbline of 4th Avenue. Broadway, from the south curbline of 4th Avenue, south to the Baraboo River.

(d) Ash Street, from the north curbline of 5th Street, south to the Baraboo River. Ash Street, from the north curbline of 5th Street, north to the south curbline of 8th Street.

(e) Oak Street, from the north curbline of 5th Street to the south curbline of 8th Street. Oak Street, from the north curbline of 8th Street, north to Madison Street.

(f) 4th Street from the east curbline of East Street, east to and including the west curbline of Elizabeth Street.

(g) Elizabeth Street from the north curbline of Water Street, north to the south curbline of 5th Street. Elizabeth Street from the north curbline of 5th Street to the south curbline of 8th Street. Elizabeth Street from the north curbline of 8th Street, north to the city limits.

(h) Lincoln Avenue from the south curbline of 8th Street, south to the south curbline of 2nd Street. (1694 06/28/93)

(2) CONTROLLED INTERSECTIONS DESIGNATED. In the interest of public safety, the following intersections are declared controlled intersections and traffic control signals shall be installed thereon in conformity with the Wisconsin Official Control Device Manual and the provisions of this chapter:

(a) The intersection of 2nd Avenue and Broadway.
(b) The intersection of 4th Avenue and Broadway.
(c) The intersection of 8th Avenue and Broadway.
(d) The intersection of 8th Street and East Street.
(e) The intersection of 8th Street and Draper Street.
(f) The intersection of U.S. Highway 12 and County Highway W (South Boulevard). (2097 10/08/02)

(3) DESIGNATION OF LOCATION OF STOP SIGNS AND YIELD SIGNS. In the interest of public safety, the Council, by ordinance, has designated the location of stop and yield signs within the City and has ordered the installation of such signs. In addition, the location of such signs is designated on the Official Traffic Map of the City pursuant to §7.02 of this chapter. See §7.02(2)(b)2. (2519 5/28/2019)

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

(5) RIGHT TURN PROHIBITED ON RED SIGNAL. No eastbound operator of a vehicle, including bicyclists, on Eighth Avenue facing a red signal at the intersection of Eighth Avenue and Broadway shall make a right turn onto Broadway. (1769 09/13/94)

7.04 <u>ONE-WAY STREETS AND ALLEYS</u>. The following streets and alleys, or portions thereof, are hereby designated one-way and no person shall drive or operate a vehicle thereon except in the direction designated below:

(1) THIRD AVENUE. Easterly on 3rd Avenue between Broadway and Oak Street.

(2) OAK STREET. Northerly on Oak Street between 3rd and 4th Avenues and Streets.

(3) 4TH AVENUE. Westerly on 4th Avenue between Oak Street and Broadway.

(4) BLOCK 40 ALLEY. Westerly on the alley in Block 40.

(5) PARK STREET. Beginning at that portion of Park Street located south of Second Avenue and proceeding therefrom south on Park Street to the unnamed park road adjoining Park Street and along the unnamed road through Mary Rountree Park exiting at the park's northwest corner. (1739 05/31/94)

7.05 <u>U-TURNS PROHIBITED</u>. No operator of a vehicle shall make a U-turn at the following locations:

(1) BROADWAY INTERSECTION. At the intersection of Broadway and 2nd, 3rd, and 4th Avenues.
(2) OAK STREET INTERSECTION. At the intersection of Oak Street and 2nd, 3rd, and 4th Streets and Avenues.
(3) ASH STREET INTERSECTION. At the intersections of Ash Street and 2nd, 3rd, and 4th Streets.
(4) WALNUT STREET INTERSECTION. At the intersection of Walnut Street and Lynn Street.

7.06 <u>SAFETY ZONES AND ISLANDS, TRAFFIC LANES AND LOADING ZONES</u>.

(1) SAFETY ZONES AND ISLANDS, TRAFFIC LANES, AND LOADING ZONES. The Chief of Police is hereby authorized to establish safety zones and islands, loading zones and traffic lanes of such kind and character and at such places as deemed necessary for the protection of persons using the public streets and sidewalks. The Council may also, from time to time, by ordinance establish safety zones and islands, loading zones and traffic lanes. The Street Superintendent, upon the recommendation of the Chief of Police or upon passage of an ordinance by the Council, is hereby authorized and empowered to erect and maintain such pavement markings, structures and/or signage as may be deemed necessary to mark the areas designated pursuant to this section consistent with the provisions of this chapter. (2033 11/14/2000)

(2) ORDINANCES ADOPTED UNDER THIS SUBSECTION. Ord. #1470, 1533, 1648, 1659, 1728, 1886, 2029, 2052.

7.07 <u>HEAVY TRAFFIC ROUTES</u>. (1812 05/23/95)

(1) ROUTES DESIGNATED. All State trunk highways and County trunk highways within the City are hereby designated heavy traffic routes. In addition, the following streets and parts of streets within the City are hereby designated heavy traffic routes:

(a) WATER STREET. From East Street to Broadway. (2214 11/08/2005)
(b) LYNN STREET. From South Boulevard to Walnut Street.
(c) WALNUT STREET. From Lynn Street to Lake Street.
(d) LAKE STREET. From Walnut Street to its southern terminus.

There shall be a rebuttable presumption that any vehicle subject to this section being operated or moved on any street, highway or alley within the Central Business District (B-1), Industrial District, Enclosed Storage (I-1), Industrial District, Open Storage (I-2) or Industrial/Business District (I-3) is using such street, highway or alley for the purpose of obtaining orders for supplies or moving or delivering supplies or commodities to or from any place of business or residence which has an entrance on a street, highway or alley in one of the above districts.

(2) TRAVEL PROHIBITED. No vehicle, except a motor bus, which is not equipped with pneumatic tires or has a gross vehicle weight of 14,000 pounds or more shall be operated or moved on any street, highway or alley not a part of the heavy traffic route designated in sub. (1) above except for the purpose of obtaining orders for, moving or delivering supplies or commodities to or from a place of business or residence facing thereon, provided that in no event shall the weight of the vehicle and load on such other street exceed the limitations of §348.15 and §348.16(3), Wis. Stats.

(3) SIGNS. The Street Superintendent shall cause to be secured and erected appropriate signs to give notice of the heavy traffic routes. (2033 11/14/2000)

7.08 <u>SPEED LIMITS</u>. (2488 04/10/2018, 2492 05/22/2018) The Council hereby determines that the statutory speed limits on the following streets or portions thereof are unreasonable, unsafe and imprudent and modifies such speed limits as follows:

(1) SPEED LIMITS INCREASED. Speed limits are increased on the following designated streets or portions thereof:

(a) <u>45 Miles Per Hour</u>. On Taft Avenue (C.T.H. T) between 12th Street and a point 650 feet north of the centerline of City View Rd/Man Mound Rd.
(b) <u>35 Miles Per Hour</u>.
1. On South Boulevard between Pate Street and State Hwy 136.
2. On South Boulevard between Commerce Parkway and the westerly on/off ramps of US Hwy 12.
3. On Taft Avenue (C.T.H.T) between 8th Street and 12th Street.
(c) <u>30 Miles Per Hour</u>.
1. On South Boulevard between Badger Drive and Pate Street.
2. On 8th Street between Washington Avenue and the easterly City limits.

(2) SPEED LIMITS DECREASED. The speed limits are decreased, as hereinafter set forth, upon the following streets or portions thereof:

(a) <u>15 Miles Per Hour</u>.
1. On Zoo Lane between Park Street and Ridge Street.
2. All alleys.

(b) <u>25 Miles Per Hour</u>.
1. On South Boulevard between State Hwy 136 and Commerce Parkway. (2058 06/26/2001)
2. Manchester Street. (2091 08/27/02)
3. Madison Avenue between Crawford and East Street. (2135 01/27/04)

7.09 <u>PARKING RESTRICTIONS</u>.

(1) STOPPING, STANDING AND PARKING REGULATED. Pursuant to §349.13, Wis. Stats., the authority to regulate the stopping, standing, and

parking of vehicles is delegated to the Chief of Police, subject to control of the Council. The Chief, with the cooperation of the Street Superintendent and City Engineer are hereby authorized to designate and sign streets, or portions thereof, where the stopping, standing or parking of vehicles is prohibited at all times or during certain designated hours. (2033 11/14/2000)

(2) ANGLE PARKING. On streets or portions thereof, where angle parking is provided, vehicles shall be parked in accordance with the angles designated by painted lines and shall be subject to the restrictions concerning parking as hereinafter set forth. Angle parking is provided for on the following streets:

(a) The south side of 3rd Street and Avenue between East and Ash Streets and between Oak Street and a point 224 feet west of Broadway. (1466 03/24/87)
(b) The north side of 3rd Avenue between Oak Street and a point 230 feet west of Broadway.
(c) The East Side of Oak Street between 3rd and 4th Streets and Avenues.
(d) 4th Street and Avenue between East Street and Birch Street.
(e) The East Side of Walnut Street between Lynn Street and the Baraboo River.
(f) The south side of Water Street between Ash Street and a point 90 feet west of Ash and between points 210 feet east of Rosaline and 425 feet east of Rosaline.
(g) The north side of Water Street between Ash Street and a point 290 feet west of Ash Street.
(h) The East Side of Elizabeth between 5th and 6th Streets.
(i) The south side of 5th Street and Avenue between Birch Street and Broadway and between East Street and a point 348 feet east of East Street.
(j) Both sides of 4th Street and Avenue, between Birch Street and East Street.
(k) The east side of Jefferson Street, between 14th Street and a point 98 feet south of 14th Street and, between 11th Street and a point 150 feet north of 11th Street, and between 8th Street and a point 117 feet south of 8th Street.
(l) The north side of Sauk Avenue between a point 225 feet west of the center line of Case Street and a point 275 feet east of Moore Street.
(m) The north side of 3rd Street between Ash Street and Oak Street. (1904, 5/13/97)
(n) The south side of Winnebago Circle for 147 feet east of Draper Street. (2289 10/28/08)

(3) LIMITED TIME PARKING. Unless specifically otherwise provided, between the hours of 7:30 A.M. and 5:00 P.M., except Saturdays, Sundays, and legal holidays under §895.20 WI Stats., no person shall park a vehicle for any longer than the period herein specified upon the following streets or portions thereof: (1934 04/14/98, 2520 05/28/19)

(a) <u>15 Minutes</u>.

1. The parking space on the west side of Broadway, between 1st Avenue and a point 147 feet north of First Avenue.

2. Four parking spaces on the West side of Broadway between 3rd Avenue and 4th Avenue, in front of the Sauk County West Square Building. (1907, 6/11/97).

3. The first parking space on the west side of Oak Street immediately north of the intersection of 2nd Avenue and Oak Street.

4. The first parking space on the east side of Oak Street immediately south of the intersection of 3rd Street and Oak Street.

5. The second parking space on the south side of 3rd Avenue immediately west of the intersection of Oak Street and 3rd Avenue.

6. The first parking space on the north side of 3rd Street immediately east of the intersection of 3rd Street and Oak Street.

7. The first parking space on the east side of Oak Street immediately north of the intersection of Third Street and Oak Street.

8. The first parking space on the east side of Oak Street immediately south of the intersection of 4th Street and Oak Street.

9. The second parking space on the north side of 4th Street immediately east of the intersection of 4th Street and Oak Street.

10. The second parking space on the north side of 4th Avenue immediately west of the intersection of 4th Avenue and Oak Street.

11. The first parking space on the north side of 4th Avenue immediately east of the

intersection of Broadway and 4th Avenue.

12. The first parking space on the west side of Oak Street immediately north of the intersection of 4th Avenue and Oak Street.

13. The first parking space on the east side of Oak Street immediately south of the entrance to the municipal parking lot located at the corner of 5th Street and Oak Street.

14. The first parking space on the south side of 3rd Street immediately west of the intersection of 3rd Street and Ash Street. (1660 11/92, 1599 04/91, 1612 06/91, 1645 06/92)

15. One parking space on the north side of 3rd Avenue, west of Broadway, located between the two driveways leading from 3rd Avenue to the Sauk County West Square Building parking lot. (1907 06/11/97)

16. One parking space on the south side of 3rd Avenue, west of Broadway, located in front of 221 3rd Avenue. (1907 06/11/97)

(b) 30 Minutes. (2520 5/28/2019)

1. On East Street beginning at a point 70 feet north of the north line of Water Street and running north to a point 92 feet north of the north line of Water Street.

2. On the northerly side of that portion of South Boulevard beginning 95 feet west of the center-line of Hitchcock Street and running thence west 50 feet.

3. Six stalls on the north side of 4th Avenue, immediately east of the four handicap parking stalls that are designated immediately east of Birch Street.

(c) Reserved. (1661 11/92)

(d) Two Hours except where a 15 minute or 30 minute time period is specified under subs. (3)(a) and (3)(b) above. (1932 02/24/98, 2520 5/28/2019, 2539 12/10/2019)

1. Ash Street from the Baraboo River to 4th Street.(2498 08/28/18)
2. Walnut Street, from Lynn Street to the Baraboo River. (2256 04/24/07)
3. Oak Street, from 1st Street and Avenue to 5th Street and Avenue. (1932 02/24/98)
4. The east side of Oak Street between 5th Street and Avenue and the alley 135 feet north of 5th Street and Avenue.
5. The north side of 2nd Street and Avenue from Ash Street to a point 112 feet west of Oak Street.
6. The south side of 3rd Street and Avenue from Ash Street to a point 230 feet west of Broadway. (1728 04/27/94)
7. 4th Street and Avenue from Ash Street to Broadway.
8. The north side of 4th Street from Ash Street to a point 66 feet east of Ash Street.
9. 5th Avenue from Oak Street to Broadway.
10. The east side of Broadway from 1st Avenue to the alley 132 feet north of 4th Avenue.
11. The west side of Broadway from 2nd Avenue to 3rd Avenue. (1728 04/27/94)
12. The south side of Water Street from East Street to a point 99 feet west of East Street.
13. The north side of 4th Avenue between Broadway and Birch Street from a point 132 feet east of Birch Street, thence east 45 feet, being four parking stalls.
14. The west side of East Street from Water Street south to the Baraboo River. (1662 11/92)
15. The south side of 2nd Street from Ash Street to Oak Street. (1669 11/92)
16. The west side of Oak Street from 5th Street, north to the first mid-block alley. (1690 06/28/93)
17. Reserved.
18. The north side of 3rd Street and Avenue from Ash Street to Broadway. (1728 04/27/94)
19. During the hours of 7:30 AM to 5:00 PM, except Saturdays, Sunday, no person shall park a vehicle for any longer than 2 hours upon the south side of 2nd Avenue from Broadway west approximately 280 feet. (2468 09/26/17)

20. The eight parking stalls on the north side of 4th Avenue immediately west of Broadway.
21. The south side of 4th Avenue, from Broadway to Birch.

(e) Four Hour.

1. The north side of 3rd Avenue from Broadway to Birch Street and the south side of 3rd Avenue commencing at a point 230 feet west of Broadway to Birch Street. (1728 04/27/94, 1925 12/16/97)
2. The south side of 2nd Avenue from Oak Street to Broadway. (1689 11/92)
3. The north side of 2nd Avenue, from a point 112 feet west of Oak Street to Broadway.
4. The west side of Broadway from 3rd Avenue to 5th Avenue. (1728 04/27/94)
5. Ash Street, from 4th Street to 5th Street.
6. 5th Street, from Oak Street to Ash Street. 11/92)

(f) Eight Hours. At all hours of the day, except on Saturdays, Sundays and legal holidays, no person shall park a vehicle for any longer than eight hours upon the following streets or portions thereof: (2520 5/28/2019)

(g) City of Baraboo Police Vehicles Excepted. City of Baraboo police vehicles may stop, stand, or park irrespective of the provisions of this subsection when the police officer operating the vehicle is engaged in security checks or other police related activities. (1947 08/25/98)

(4) NIGHTTIME PARKING PROHIBITED ON CERTAIN STREETS. No person shall park, stop or leave standing any vehicle, whether attended or unattended, between the hours of 2:00 A.M. and 6:00 A.M. on the following streets or portions thereof:

(a) Ash Street, from 4th Street to the Baraboo River.
(b) Oak Street, from 1st Street to 5th Street.
(c) Broadway, from 1st Avenue to 5th Avenue.
(d) 2nd Street and 2nd Avenue, from Ash Street to Broadway.
(e) 3rd Street and 3rd Avenue, from Ash Street to Birch Street.
(f) 4th Street and 4th Avenue, from Ash Street to Broadway.
(g) 5th Street and 5th Avenue from Ash Street to Broadway.
(h) Walnut Street, from Lake Street and Maple Street to the Baraboo River.
(i) The south side of Lynn Street, from Vine Street to a point 400 feet east of Walnut Street. (1746 06/28/94)

City of Baraboo police vehicles may stop, stand, or park irrespective of the provisions of this subsection when the police officer operating the vehicle is engaged in security checks or other police related activities. (1947 08/25/98)

(5) SPECIAL RESTRICTED PARKING REGULATIONS. No person shall park, stop or leave standing any vehicle, whether attended or unattended, on the following streets or portions thereof: (1897 02/25/97)

(a) Between the hours of 6:00 A.M. and 6:00 P.M., except on Saturdays, Sundays, and legal holidays, on the east side of Lake Street from Walnut Street to the driveway entering the Neco Hammond manufacturing facility.

(b) Between the hours of 7:00 A.M. and 3:30 P.M., except on Saturdays, Sundays, and legal holidays, on the west side of East Street in the area which includes the two parking spaces immediately north of the driveway at 215 East Street and the first parking space immediately south of said driveway.

(c) At all times along the west side of Moore Street beginning at the southern terminus of Moore Street and north therefrom to the south right-of-way line of Sauk Avenue extended. (1988 09/14/99)

(d) From December 1st to March 15th on the north side of 9th Ave. from Birch to Wood St. (2105 12/10/02)

(e) From December 1st to March 15th on the east side of Quarry Street from Lynn Avenue to South Street. (2105 12/10/02, 2128 11/25/03, 2153 06/08/04)

(6) SEASONAL PARKING REGULATIONS. No person shall park in any public street, alley or highway of the City between the hours of Midnight and 3:00 PM from October 1st to **April 15th**, except that if not otherwise prohibited by this chapter, vehicles may be parked on the streets on the even-numbered side of the street on those nights which at 1:00 A.M. bear an even calendar date, and on the odd-numbered side of the street on those nights which, at 1:00 A.M., bear an odd calendar date. This subsection shall not apply on those streets where parking is permitted on one side only or where parking is restricted during the hours of 1:00 A.M. and 6:00 A.M. on one side only. The restrictions of this ordinance shall not apply where §7.09(4) is applicable, and the provisions of that

section shall have priority. This section shall not apply to churches or funeral homes during times of services. Organizations, businesses, and parties affected by this section may apply to the Public Safety Committee for an exemption where it can be shown that the application of the parking restrictions will be unduly burdensome. (1615 07/91;, 1856 02/27/96; 2345 10/26/2010)

(7) TWENTY-FOUR HOUR PARKING LIMIT. Except by permits issued by the City, and except as specifically otherwise provided in this Code, no person shall park, stop or leave standing any vehicle, whether attended or unattended, for a longer continuous period than 24 hours in one place upon any street, alley, boulevard or tree bank unless the vehicle is moved at least 90 feet in distance from the original parking space occupied by the vehicle. (1840 11/28/95)

(8) TRUCK PARKING REGULATIONS.

(a) No person shall, at any time, park or leave standing, whether attended or unattended, any semi-trailer, whether or not attached or connected to a truck tractor or road tractor, on any street in any district zoned R-l, R-2, R-3, R-4 or R-5. (1664 11/92)

(b) No person shall, at any time, park or leave standing, whether attended or unattended, any truck tractor or road tractor on any street in any district zoned R-1, R-2, R-3, R-4, R-5, or any other district zoned residential. If a permit is granted by the Administrative Committee, a truck tractor or road tractor may be parked on private property in a residential district if the parked vehicle does not extend into the street yard and if the owner of such vehicle resides on the property where the vehicle is parked. The owner of such vehicle may operate the vehicle on residential streets in order to go to and from his/her resident and designated truck routes. (2034 11/28/00)

(c) The parking restrictions imposed by this subsection shall not apply when a vehicle is parked solely for the purpose of loading or unloading freight to or from the abutting premises. (1544 08/89, 1555 01/90)

(9) PARKING PROHIBITED ON 8TH STREET AND 8TH AVENUE. (1993 11/09/99)

(a) No person shall park, stop, or leave standing any vehicle, whether attended or unattended, on any portion of 8th Street and 8th Avenue, except this restriction shall not apply to the following vehicles while temporarily stopped or left standing for the purpose of making a pickup or delivery to or from an abutting premises or while engaged in street or sidewalk maintenance or repair work, or the installation of public or utility improvements along 8th Street and 8th Avenue:

1. City garbage collection vehicles.
2. City Public Works, Water Utility, and Parks Department vehicles.
3. Postal Service vehicles.
4. Utility and telecommunication company vehicles.
5. By written permit issued by the Police Department.

(b) A vehicle delivering home heating fuel oil or L. P. gas to a property fronting on 8th Street and 8th Avenue may be temporarily stopped or left standing along 8th Street and 8th Avenue for the purpose of delivering home heating fuel oil or L. P. gas provided the following conditions are satisfied:

1. There must be no other reasonable access point for the delivery of such fuel to a residence or business fronting on Eighth Street or Eighth Avenue except by parking the delivery vehicle on 8th Street or 8th Avenue; and

2. The delivery vehicle shall be equipped with and shall display a lighted flashing amber lamp of the dome type or two flashing lighted amber lamps one showing to the front and one showing to the rear. Such lamps shall be mounted approximately midway between the extremities of the width of the delivery vehicle and at the highest practical point and shall be used only for the purpose of warning operators of other vehicles of the presence of the traffic hazard. These warning lights shall be visible from a distance of not less than 500 feet under normal atmospheric conditions at night; and

3. The operator of the delivery vehicle shall display warning devices upon the street during the time the vehicle is left standing and such devices shall be placed as provided in §347.29, Wis. Stats. (1468 04/87, 1544 08/89, 1646 06/92)

(10) PARKING IN ALLEYS REGULATED. All parking in alleys is prohibited except as follows:

(a) Parking in alleys in the business district solely for the purpose of loading or unloading freight.
(b) Parking on the west side of the Hilltop Court Alley.

(11) PARKING IN DRIVEWAYS PROHIBITED. 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 upon which such driveway is located, whether or not such driveway is posted to prohibit parking.

(12) STREET MAINTENANCE. Whenever it is necessary to clear or repair a City roadway or any part thereof, the Street Department shall post such highways or parts thereof with appropriate signs prohibiting parking. Such signs shall be erected at least 2 hours prior to the time that street maintenance work is to commence. No person shall park a motor vehicle in violation of such signs.

(13) DESIGNATED PARKING SPACES. The Street Superintendent shall have lines or markings painted upon the curb and/or upon the street or parking lot surface for the purpose of designating a parking space. It shall be unlawful to park any vehicle across any line or marking or to park a vehicle in such position that the same shall not be entirely within the area designated by such lines or markings. (2033 11/14/2000)

(14) REMOVAL OF CHALK MARKS PROHIBITED. In order to monitor the continuous length of the time that a vehicle is parked in a parking space or zone subject to parking time restrictions, it is necessary that the Police Department places a chalk mark or other mark on one or more tires of parked vehicles. It shall be unlawful to remove, erase or alter, or attempt to remove, erase or alter, any chalk mark or other mark of any kind placed upon any tire of a vehicle parked in any parking zone or space subject to parking time restrictions.

(15) LEGAL HOLIDAYS DESIGNATED. For purposes of enforcement of parking restrictions in the City, the following days shall be defined as legal holidays:

New Years Day	Independence Day
Thanksgiving Day	Memorial Day
Labor Day	Christmas Day

Legal Holiday specified under §995.20 WI. Stats. (1934 04/14/98) provided, however, that, in the event any of said days falls on a Sunday, the following Monday shall be deemed to be the legal holiday. (1481 11/24/87)

(16) RESERVED PARKING FOR OFFICIALS. (1534 03/02/89, 2494 07/10/2018)

(a) It is necessary that certain City, County, State and other public employees have reserved parking spaces for their vehicles in City parking lots and on certain city streets in order to allow efficient access to and from public buildings. Therefore, when a parking space in any City parking lot, or City street designated by a distinct sign indicating that the parking space in front of the sign is reserved parking for a City, County, State or other public employee or department, no person shall park or leave standing any vehicle in any part of the reserved space.

(b) The following officials, departments, and department heads shall have a reserved parking space in the City parking lot or in the Alma Waite Annex parking lot located north of the Municipal Building: (1802 04/11/95, 2033 11/14/2000, 2321 10/27/2009)

Fire Department ("For Fire Personnel Only") – 9 spaces (2075 02/26/2002, 2321 10/27/2009)
Baraboo District Ambulance Service – 3 spaces (2321 10/27/2009)

(c) Except between the hours of 2:00 A.M. and 6:00 A.M. daily, the limited time parking restrictions applicable in the Central Business (B-1) District shall not apply to marked law enforcement vehicles and marked conservation vehicles of the State of Wisconsin or a political subdivision of the State. A vehicle shall be deemed a marked vehicle under this subsection if it meets one of the following criteria: (1872 05/28/96)

1. Displays license plates showing the law enforcement star; or

2. Prominently displays on the exterior of the vehicle an identifying law enforcement agency decal, logo or name; or

3. Displays inside the vehicle so as to be visible from the front of the vehicle a law enforcement parking permit issued by the Baraboo Police Department.

(d) The following officials, departments, and department heads shall have a reserved parking space in the Civic Center parking lot in the area west of the maintenance building:

City Parks Department - 3 spaces
Vocational Center - l space
Head Start - l space
Wisconsin Conservation Corps - 1 space

(e) The following parking spaces shall be reserved for the parking of fire department personnel for emergency calls on a 24-hour basis:

The west side of Ash Street between 4th Street and 5th Street. (1802 04/11/95)

(f) The following officials, departments, and department heads shall have a reserved parking space in the City public parking lot located at the southeast corner of 5th Avenue and Birch Street: Baraboo Public Library staff - 7 spaces (1840 11/28/95)

(g) Two parking spaces on the south side of 2nd Street in front of the Baraboo Civic Center shall be reserved for parking for the Wisconsin Department of Transportation on the day each week that the Department leases space from the City in the Baraboo Civic Center. (1976 05/18/99)

(h) Thirteen (13) parking spaces shall be reserved for Sauk County Land Conservation and Planning and Zoning Department staff vehicles on a 24-hour basis along the eastern boundary of the City parking lot located on the north side of 5th Avenue between Oak Street and Broadway." Attorney Note: See Resolution No. 99-225 for parking conditions. (2008 03/28/2000)

(17) RESTRICTED PARKING DURING SNOW EMERGENCIES. (1497 03/22/88, 1615 07/09/91)

(a) Whenever the Mayor finds, on the basis of falling snow, sleet or freezing rain, or on the basis of a national weather forecast of snow, sleet or freezing rain, that vehicle traffic in the City is threatened and that parking on certain City streets should be prohibited, he may declare a snow emergency.

(c) When the Mayor declares a snow emergency, he shall cause such declaration to be publicly announced by means of radio broadcasts from a station with a normal operating range covering the City, and he may cause such declaration to be further announced in the News Republic when feasible. Each announcement shall describe the action taken by the Mayor, including the time it became or will become effective, and shall specify the streets or areas affected. A parking prohibition declared by the Mayor under this section shall not go into effect until at least two hours after it has been announced at least two times between 6:00 A.M. and 11:00 P.M. on any day; provided, however, that one announcement in a newspaper of general circulation shall be sufficient. The Mayor shall make or cause to be made a record of each time and date when any declaration is announced to the public under this section.

(c) Immediately upon the declaration by the Mayor of a snow emergency on certain streets, the Street Superintendent shall install signs or barricades in the streets falling within the area designated. (2033 11/14/2000)

(d) No person shall operate, park, stop or leave standing a vehicle on any street declared closed under this subsection.

(e) Any vehicle parked in violation of this subsection may be impounded in accordance with §7.10 of this Code.

(18) ISSUANCE OF PARKING PERMITS TO CONTRACTORS. (1559 02/13/90, 1615 07/09/91)

(a) Upon application of any contractor engaged in a construction project at premises abutting a restricted parking area, the Chief of Police or his designee may issue a special parking permit to the contractor allowing the parking of a vehicle in a restricted parking area for a period not exceeding the estimated time required to complete the construction project, provided that no special parking permit shall be valid for more than 30 days, at which time it may be renewed by the Chief of Police. For the purposes of this subsection, the Contractor shall be the holder of and responsible for the use and misuse of the special parking permit.

(b) Whenever a special parking permit is issued to a contractor, an appropriate temporary sign or signs shall be erected designating the parking space assigned to the contractor.

(c) In determining whether to issue a special parking permit under this section, the Chief of Police shall consider traffic conditions, traffic safety, safety of pedestrians, the burden on other nearby

premises or businesses, and the need of the contractor for the special place.

(d) A permit fee per space per day shall be charged to the contractor as provided in Ch. 4.

(19) PARKING SPACES RESERVED FOR VEHICLES USED BY PHYSICALLY DISABLED PERSONS.

(a) In this subsection, "motor vehicle used by a physically disabled person" means a motor vehicle displaying special registration plates issued under §341.14(1), (1a), (1m), (1q), or (1r) (a), Wis. Stats., or a special identification card issued under §343.51, Wis. Stats., or a motor vehicle registered in another jurisdiction, and displaying a registration plate, card or emblem issued by the other jurisdiction which designates the vehicle as a vehicle used by a physically disabled person.

(b) No person may park, stop or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, upon any portion of a street, highway, or parking facility reserved, by official traffic signs indicating the restriction for a motor vehicle used by a physically disabled person.

(c) The owner of a vehicle involved in a violation of sub. (b) shall be liable for the violation as provided in this section.

(d) Except as provided in Subs. (e), it shall be no defense to a violation of subsection (b) that the owner was not in control of the vehicle at the time of the violation.

(e) The following are defenses to a violation of subsection (b):

1. A report that the vehicle was stolen was given to a traffic officer before the violation occurred or within a reasonable time after the violation occurred.

2. If the owner of the vehicle provides a traffic officer with the name and address of the person who is in control of the vehicle at the time of the violation and the person so named admits having the vehicle under his or her control at the time of the violation, then that person and not the owner shall be charged with the violation.

3. If the vehicle is owned by a lessor of vehicles, and at the time of the violation the vehicle was in the possession of a lessee, and the lessor provides a traffic officer with the information specified in §343.46(3), Wis. Stats., then the lessee and not the lessor shall be charged with the violation.

4. If the vehicle is owned by a dealer as defined in §340.01(11) (intro.) Wis. Stats., but including the persons specified in §340.01(11)(a) to (d) and at the time of the violation, the vehicle was under the control of any person on a trial run, and if the dealer provides a traffic officer with
the name, address and operator's license number of that person, then that person and not the dealer shall be charged with the violation.

(f) The provisions of §346.503 and §346.505, Wis. Stats., defining, describing, and otherwise regulating the establishment, use and accessibility of parking spaces reserved for the physically disabled are adopted and by reference made a part of this Chapter as if fully set forth herein. Any violation of any such provision shall constitute a violation of this subsection. Any future amendments, revisions, renumber-ing or modifications of the statutory regulations of §346.503 and 346.505, Wis. Stats., are intended to be made a part of this section in order to secure to the extent legally practical uniform statewide regulation of parking for physically disabled persons. Any person who shall violate this subsection shall be subject to a penalty as provided in §25.04 of this Code. (1698 08/01/93, 1853 02/27/96)

(g) Since January 1, 1997, the following Ordinances have established or repealed parking stalls reserved for a motor vehicle used by a physically disabled person pursuant to §7.09(19) of this Code: (1906 05/27/97, 1959 12/08/98, 2021 08/21/2000, 2203 09/13/2005, 2336 04/27/2010, 2371 12/13/2011, 2473 01/23/2018, 2483 03/13/2018)

(20) CITY PARKING LOT REGULATIONS. Except by permits issued by the City, and except for reserved parking spaces for public officials and agencies, and except as specifically otherwise provided in this Code, no person shall park, stop or leave standing any vehicle, whether attended

or unattended, for a continuous period longer than the period hereinafter specified in one place in or upon the following City public parking lots: (1840 11/28/95, 1845 12/12/95, 1928 01/13/98, 2531 10/09/19)

(a) Two Hours.
1. The City parking lot located on the south side of 4th Street between Oak Street and Ash Street.

(b) Four Hours:
1. The City parking lot located at the southeast corner of the intersection of 5th Avenue and Birch Street (behind the Public Library).

(c) 24 Hours.
1. All City parking lots not identified under sub. (a) above, except that no person shall park, stop, or leave standing any vehicle, whether attended or unattended between the hours of 2 a.m. and 6 a.m. in any of the parking lots within the following City parks: (2048 02/21/2001)

Attridge Park
Upper Ochsner Lot
Campbell Park Auxiliary Lot (tennis courts)
Northeast Park Lot
Campbell Park Main Lot (pool)
Pierce Park Lot
Lower Ochsner Lot
Mary Rountree Lot

(21) PARKING PROHIBITED IN FIRE LANES OR NEAR FIRE HYDRANTS. (2030 09/12/2000)

(a) No person shall stop or leave any motor vehicle standing in any of the following places except temporarily for the purpose of and while actively engaged in loading or unloading or in receiving or discharging passengers and while the vehicle is attended by a licensed operator so that it may promptly be moved in case of an emergency or to avoid obstruction of traffic:

1. In any designated fire lane, whether on public property or private property.
2. Within 10 feet of a fire hydrant, unless a greater distance is indicated by an official traffic sign.

(b) In addition to authorized Police Department personnel, the Fire Chief, and each Fire Inspector of the City shall be authorized to issue parking citations for violations of this subsection.

(c) The Fire Chief shall be authorized to grant temporary approval to obstruct a fire lane for a construction project on such terms and conditions as the Fire Chief determines is in the public health, safety, and general welfare.

(22) ISSUANCE OF PARKING PERMITS TO MERCHANTS. (2403 09/24/2013)

(a) Upon application of any merchant whose customers remain on-premise for more than four consecutive hours for purpose of purchasing merchandise or for the purpose of attending a training session for merchandise that is sold at their premises abutting a restricted parking area, the Chief of Police or his designee may issue a special annual parking permit to the merchant allowing the periodic parking of their customer's vehicle in a restricted parking area for a period not exceeding the time required to complete the purchase or training session. For the purposes of this subsection, the Merchant shall be the holder of and responsible for the use and misuse of the special parking permit.

(b) Whenever a special parking permit is issued to a merchant, the merchant shall have their customer display the permit on their vehicle's dashboard during the time the vehicle is parked. The merchant shall be responsible for retrieving the permit from their customer at the conclusion of their purchase or training.

(c) In determining whether to issue a special parking permit under this section, the Chief of Police shall consider traffic conditions, traffic safety, safety of pedestrians, the burden on other nearby premises or businesses, and the need of the merchant for each special permit.

(d) An annual fee shall be charged to the merchant for each permit as provided in Ch. 4.

7.10 REMOVAL OF ILLEGALLY PARKED VEHICLES. Any vehicle parked or left standing upon a high-way, street, or alley or other public grounds in violation of any of the provisions of this chapter is declared to be a hazard to traffic and public safety. Such vehicle shall be removed by the operator, upon request of any police officer, to a position where parking, stopping or standing is not prohibited. Any police officer, after issuing a citation for illegal parking, stopping or standing of an unattended vehicle in violation of this chapter, is authorized to remove such vehicle to a position where parking is not prohibited. T he officer may order a motor carrier holding a permit to perform vehicle towing services, a licensed motor vehicle

salvage dealer or a licensed motor vehicle dealer who performs vehicle towing services to remove and store such vehicle in any storage garage or rental parking grounds or any facility of the person providing the towing services. In addition to other penalties provided by §7.24 and 7.25 of this chapter, the owner or operator of a vehicle so removed shall pay the cost of towing and storage.

7.11 <u>ABANDONED VEHICLES</u>. (2276 03/25/08)

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

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

(3) PRESUMPTION OF ABANDONMENT. Any vehicle left unattended for more than 48 hours on any public street or grounds, or on private property where parking is prohibited, limited or restricted, without the permission of the owner or lessee, is deemed abandoned and constitutes a public nuisance; provided that the vehicle shall not be deemed abandoned under this section if left unattended on private property out of public view, by permission of the owner or lessee.

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

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

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

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

(8) SALE. Each retained vehicle not reclaimed by the owner and not disposed of by Sub. (5), above, may be disposed of by sealed bid or auction sale as provided in §342.40(3), Wis. Stats.

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

(10) PURCHASER TO REMOVE VEHICLE. The purchaser of any vehicle on sealed bid or auction sale under Sub. (8) above shall have 10 days to remove the vehicle from the storage area upon payment of a storage fee as set forth in the City's Official Fee Schedule for each day the vehicle has remained in storage after the second business day subsequent to the sale date. Ten 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 again sold.

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

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

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

(14) EXEMPTION. Any owner or person operating a registered vehicle which shall become disabled or inoperative for any reason and who shall be unable to cause removal of such vehicle from any alley, street, highway or public place not otherwise regulated as a restricted parking, stopping or standing zone shall, within 12 hours of such occurrence, notify the Police Department of the location of the vehicle and shall transfer and deliver clear title for said vehicle to the City together with a

fee for the cost of towing and junking charges and shall be exempt from the provisions of this section. When so requested by the owner or person in charge of a vehicle, the Chief of Police shall be authorized to order such vehicle removed and junked directly from the scene of disablement by the contractor engaged by the City for towing of disabled vehicles. The provisions of Sub. (11) above shall apply to any vehicle removed under this subsection.

7.12 DISPLAY OF POWER PROHIBITED.

(1) No person shall make or cause to be made any unreasonably loud, disturbing, annoying, or unnecessary noises with a motor vehicle by the squealing or spinning of tires, revving, racing, or excessive acceleration of the engine, blowing of the horn, intentionally causing the engine to backfire, or by emitting unnecessary and loud exhaust system noises such as may tend to annoy or unreasonably disturb a person of ordinary sensibilities in or about any public street, alley, park, or in the surrounding neighborhood. (2130 12/09/03)

(2) Use of brakes that are activated by the compression of the engine (compression brakes, e.g. "a jake brake" or "Jacob's brake") within the City limits is prohibited, except in the event of an emergency. (2158 07/27/04)

7.13 OBSTRUCTION OF RAILROAD CROSSINGS.

(1) TIME LIMITATIONS. It shall be unlawful to stop any railroad train, locomotive or railroad car upon or across any highway or street crossing or to cause obstruction of vehicular traffic on public streets at such crossing by the stopping, leave standing, switching or otherwise maintaining constant railway use at such crossing longer than 10 continuous minutes, or for more than 7 minutes out of any 12 continuous minutes.

(2) PENALTY. Either the owner or any conductor, engineer, switchman, brakeman or other employee or agent in charge of, or otherwise responsible for, such offending railroad locomotive or car who shall violate the provisions of this section shall, upon conviction, pay the City a forfeiture of not less than $50 nor more than $150 for each such violation, and a violation for each 12 minute period shall constitute a separate offense, plus the costs of prosecution, and in default of payment shall be imprisoned not less than 5 days nor more than 15 days in the County Jail.

(3) DEFENSE TO VIOLATION. It shall be a defense to any prosecution under this Section if the obstruction is caused by an accident or a condition totally beyond the control of the operators of the train.

7.14 TRAFFIC AND PARKING REGULATIONS ON AND ADJACENT TO SCHOOL DISTRICT GROUNDS. Pursuant to the provisions of §118.105, Wis. Stats., the following regulations shall apply on off-street school premises and streets adjacent to or near a school premises within the City. (2466 09/26/17)

(1) PARKING. All parking on grounds of the Baraboo School District from 7:30 A.M. to 4:30 P.M. shall be by permit only and shall be restricted to areas designated for parking by the School Board. When signs are erected by the School Board giving notice of such restrictions, no person shall park a motor vehicle in an area other than one for which he shall have been issued a permit nor without displaying a valid permit. All authorized visitors shall park only in areas designated and signed for visitor parking.

(2) SPEED LIMITS. No person shall at any time operate a motor vehicle upon the Baraboo School District grounds at a speed in excess of 15 miles per hour.

(3) VEHICLE PARKING PROHIBITED AT SPECIFIED TIMES. (1951 10/13/98)

(a) During the hours of 7:30 A.M. to 4:30 P.M. on school days, no person shall park, stop, or leave standing, whether attended or unattended, except school buses temporarily for the purpose of and while engaged in loading or unloading or in receiving or discharging passengers on the following streets: (1573 09/25/90)

1. The south side of 6th Avenue beginning at the west line of Center Street and running thence west 96 feet.

2. The north side of 5th Avenue beginning at the east line of Angle Street and running thence east 125 feet. (2306 05/26/2009)

3. The east side of Wheeler Street between 6th Street and 8th Street. (2289 10/28/2008)

4. The north side of 5th Street adjacent to St. John's Lutheran School starting at a point 180 feet west of the intersection of 5th Street and Elizabeth Street and running thence west 52 feet. (1835 10/24/95)

(b) During the hours of 7:30 A.M. to 3:30 P.M. on school days, no person shall park, stop, or leave standing, whether attended or unattended, except school buses temporarily for the purpose of and while engaged in loading or unloading or in

receiving or discharging passengers on the following streets: (1573 09/25/90, 1546 10/24/89, 1708 11/16/93, 1890 12/03/96, 1951 10/13/98, 2169 12/14/04, 2503 10/09/18)

1. The east side of Draper Street beginning at the intersection of Draper Street and 9th Avenue and thence north to the north intersection of Draper Street and Winnebago Circle. (1546 10/24/89, 1890 12/03/96, 2169 12/14/2004)

2. The west side of Draper Street beginning at the intersection of Draper Street and 8th Avenue and thence north to the south driveway leading to the Baraboo Middle School. (2169 12/14/2004)

3. The north side of 9th Avenue between Park Street and Draper Street. (2169 12/14/2004)

4. The south side of 9th Avenue beginning at the intersection of 9th Avenue and Draper Street and thence west to Berkeley Boulevard. (2169 12/14/2004)

5. During the hours of 7:30A.M. to 3:30P.M. on school days, no person shall park, stop, or leave standing, whether attended or unattended, except school buses temporarily for the purpose of and while engaged in loading or unloading or in receiving or discharging passengers, on the East side of Winnebago Circle, except that portion of Winnebago Circle designated for two-hour parking pursuant to §7.14(4) of this Code. (1708 11/16/93, 2169 12/14/2004, 2400 08/13/2013)

6. During the hours of 7:30 AM to 3:30 PM on school days, no person shall park, stop, or leave standing, whether attended or unattended, except temporarily for the purpose of and while engaged in receiving or discharging passengers, on the north side of 9th Avenue between Draper Street and Berkley Blvd. and the east side of Berkley Blvd. north of 9th Avenue.

(c) During the hours of 7:30 a.m. to 8:30 a.m. and 2:30 p.m. to 3:30 p.m. on school days, no person shall park, stop, or leave standing any vehicle, whether attended or unattended, except school buses temporarily for the purpose of and while engaged in loading or unloading or in receiving or in discharging passengers on the following streets: [School day loading area parking restrictions.] (2103 10/22/2002)

1. On the east side of East Street from the intersection with Second Street to a point 88 feet south of that intersection. (2289 10/28/2008)

2. Within the first 315 feet of the south side of 6th Avenue, east of the intersection with Angle, adjacent with West School. (2213 10/25/2005)

(d) During the hours of 7:30 a.m. to 8:30 a.m. and 2:30 p.m. and 3:30 p.m. on school days, no person shall park, stop, or leave standing any vehicle, whether attended or unattended, except temporarily for the purpose of and while engaged in loading or unloading or in receiving or in discharging passengers on the following streets:

1. On the north side of 6th Street adjacent to East School between Wheeler Street and Jefferson Street. (2101 10/22/2002; 2303 04/28/2009)

(e) During the hours of 7:30 A.M. to 3:30 P.M. on school days, no person shall park, stop, or leave standing, whether attended or unattended, except temporarily for the purpose of and while engaged in loading or unloading or in receiving or discharging passengers, on the following streets:

1. The west side of Draper Street beginning at the southernmost driveway leading to the Baraboo Middle School and thence north to the northernmost driveway leading to the Baraboo Middle School.

(4) PARKING PROHIBITED AT SPECIFIED TIMES. During the hours of 7:30 a.m. to 3:30 p.m., during school days, no person shall park, or leave standing, any vehicle, whether attended or unattended, for a longer continuous period than two hours, on the following streets: (1547 10/24/89, 1548 10/24/89, 1951 10/13/98, 2169 12/14/2004)

(a) The east side of Draper Street beginning at the intersection of Draper Street and

8th Avenue and thence north to 9th Avenue.

(b) The east side of Draper Street beginning at the north intersection of Draper Street and Winnebago Circle and thence north to the intersection of Draper Street and Algonquin Drive.

(c) The west side of Draper Street beginning at the south driveway leading to the Baraboo Middle School and thence north to the north driveway leading to the Baraboo Middle School.

(d) Both sides of Winnebago Circle, beginning at the southern intersection of Draper Street and Winnebago Circle at the point where Draper Street and Winnebago Circle intersect and following the centerline of Winnebago Circle there from to a point 300 feet.

(5) PARKING PROHIBITED AT ALL TIMES. No person shall park, or leave standing any vehicle, whether attended or unattended, on the following streets: (2169 12/14/2004)

(a) Both sides of 9th Avenue beginning at the intersection of 9th Avenue and Draper Street and thence east 102 feet.

(b) The west side of Berkeley Boulevard beginning at the intersection of Berkeley Boulevard and 9th Avenue and thence north 544 feet.

(c) The east side of Berkeley Boulevard beginning at the intersection of Berkeley Boulevard and 9th Avenue and thence north 54 feet and also the east side of Berkeley Boulevard beginning at a point 216 feet north of the intersection of Berkeley boulevard and 9th Avenue and thence north to the City limits.

(6) ONE-WAY TRAFFIC. No person shall operate a motor vehicle contrary to the one-way traffic signs posted on any school drive. (1547 10/24/89, 2169 12/14/2004)

(7) CROSSING GUARDS - APPOINTMENT. The Chief of Police shall be responsible for the appoint-ment of adult crossing guards pursuant to §349.215, Wis. Stats. (1548 10/24/89, 2169 12/14/2004)

(8) PARKING OF ANY VEHICLE PROHIBITED AT SPECIFIED TIMES. During the hours of 7:30 A.M. to 4:30 P.M., during school days, no person shall park, stop or leave standing any vehicle, including school busses, whether attended or unattended and whether temporarily or otherwise, on the following streets: (2169 12/14/2004)

(a) **Reserved** (1721 03/01/94, 1873 07/23/96, 2303 04/28/2009)

(b) The south side of Mulberry Street in front of South School starting at the driveway entrance leading to and from the South School east parking lot and running thence east 50 feet. (2102 10/22/2002)

(9) U TURNS PROHIBITED. No person shall turn his or her vehicle so as to proceed in the opposite direction on Mulberry Street in that portion of Mulberry Street in front of South School beginning at the
west property line of the South School Mulberry Street parking lot and proceeding east there from to the east Mulberry Street/Grove Street crosswalk. (2053 04/10/2001)

(10) LEFT TURNS RESTRICTED. No person shall make a left hand turn of his or her vehicle between the hours of 3:00 P.M. to 3:30 P.M. from the High School parking lot north on to Draper Street or east on to Ninth Avenue or from the Middle School parking lots north on to Draper Street. (2194 04/26/2005)

7.15 <u>REGULATION AND LICENSING OF BICYCLES</u>. (2418 08/12/2014)

(1) DEFINITION. The term "bicycle", as used in this section, shall mean a device propelled by the feet acting upon pedals and having wheels, any two of which are not less than 14 inches in diameter.

(2) REGISTRATION REQUIRED. No resident of the City shall ride or use a bicycle with wheels of 20 inches or more upon any public street, highway, alley or sidewalk in the City unless the same shall have been registered and licensed as herein provided.

(3) REGISTRATION. Registration shall be made by filing an application with the Police Department setting forth the name and address of the owner together with a complete description of the bicycle and paying the registration and license fee hereinafter provided. Upon registration, the Police Department shall issue an identification tag that shall be affixed to the bicycle in a place determined by the Police Department. Such identification tag shall remain so affixed to the bicycle unless removed by order of a court.

(4) BICYCLE REQUIRED TO BE IN SAFE CONDITION. No bicycle shall be registered

that is not in safe mechanical condition and legally equipped.

(5) LICENSE FEE. The license fee for each bicycle shall be as set forth in the City's Official Fee Schedule if the license is obtained during the first year and as provided in the Official Fee Schedule if the license is obtained during the second year. The license period shall be two years, commencing on January 1 of odd numbered years and terminating on December 30th of even numbered years. (1579 02/12/91)

(6) LICENSE TRANSFER. Within two days after any bicycle registered hereunder shall have changed owner-ship, the purchaser of the bicycle shall report such information to the Police Department. No fee shall be charged for a transfer of ownership during a license period.

(7) RULES FOR OPERATION OF BICYCLES.

(a) Every person operating a bicycle in the City shall be subject to all applicable provisions of this chapter and to applicable State Statutes relating to equipping and operating bicycles.

(b) No person over 8 years of age shall operate a bicycle on City sidewalks, and no person shall operate a bicycle with wheels over 20 inches on any sidewalk. Bicycles permitted on sidewalks shall be operated at a low rate of speed and shall yield the right-of-way to pedestrians. This subsection shall not apply to police bikes operated by City of Baraboo police officers while engaged in security checks or police related activities. (1948 08/25/98)

(8) WARNING. The first time a child is detained by a law enforcement officer for violation of any of the pro-visions of this section, his parent, guardian or person having such legal custody may be advised as to the provisions of this section and further advised that any violation of this section occurring thereafter by this child or any other child under his care or custody may result in a penalty being imposed as hereinafter provided.

(9) PENALTIES.

(a) Persons Under 16 Years of Age. Any person under 16 years of age who violates any of the pro-visions of this section shall be reprimanded at the discretion of the police officer in a manner prescribed as follows:

1. The officer may, when appropriate, issue a warning card to the parents of a juvenile who is detained for a violation of any of the provisions of this section, informing them of the violation.

2. The violation shall be considered a matter of record and the appropriate police department juvenile incident report completed for referral to the juvenile division. At that time a determination will be made as to whether to refer the matter to the juvenile court for further action or to summon the offender, accompanied by a parent or guardian, to police headquarters to discuss the nature of the violation, or

3. The violation shall not be considered a matter of record and the bicycle shall be impounded for a period of time not to exceed 30 days.

(b) Persons 16 Years of Age or Over. Any person 16 years of age or over who violates any of the provisions of this section shall be reprimanded or cited at the discretion of the police officer in a manner prescribed as follows:

1. The violation shall not be considered a matter of record and the bicycle shall be impounded for a period of time not to exceed 30 days, or

2. For any violation of Ch. 346, Wis. Stats., which are applicable to bicycles, the violator will be issued the uniform traffic citation and be required to appear in traffic court or, if over 18 years of age, post bond in the amount as prescribed by the uniform bond schedule.

(c) Persons 18 Years of Age or Over. Any person 18 years of age or over who violates any of the provisions of this section shall be issued a department citation and be required to appear in traffic court or post bond in an amount to be determined by the officer.

(10) IMPOUNDING. Whenever any bicycle shall be impounded for violations of the provisions of this section, it shall be surrendered at the Police Department at the expiration of the impoundment period to the parents or the guardian of the offender. In the case of the seizure of a bicycle because it has been found in the possession of a person not the legal owner thereof and the bicycle is not reclaimed by the legal owner thereof, it shall

be sold at public auction after the expiration of 120 days from the date of seizure. Notice containing a description of the bicycle shall be published in a newspaper circulating in the City at least one week prior to the date of the sale. The proceeds of the sale shall be remitted to the City Treasurer.

(11) The consumption of alcohol on commercial quadricycles is prohibited.

7.16 <u>SNOWMOBILES</u>.

(1) STATE SNOWMOBILE LAWS ADOPTED. Except as otherwise specifically provided in this section, the statutory provisions in Chs. 350, Wis. Stats., describing and defining regulations with respect to snow-mobiles, exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are hereby adopted and by reference made a part of this Code 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 section. Any future amendments, revisions or modifications of the statutory regulations in Chapter 350 incorporated herein are intended to be made part of this section. (1786 01/24/95)

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

(3) SNOWMOBILE ROUTES DESIGNATED. Except as provided in §350.02 and 350.03, Wis. Stats., or except as authorized by a duly adopted resolution of the Common Council, no person shall operate a snow-mobile upon any public right-of-way or on any other public or private property within the City. (1786 01/24/95)

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

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

(6) OPERATION ON SIDEWALKS OR MALLS PROHIBITED. No person shall operate a snowmobile on any sidewalk, pedestrian way or mall within the City, except that sidewalks may be crossed at a right angle to gain access to property where operation is permitted under this section.

7.17 <u>REGULATION OF ROLLER SKATES, SKATEBOARDS, IN-LINE SKATES, SCOOTERS AND SIMILAR PLAY VEHICLES</u>. (1758 07/25/94)

(1) REGULATION OF SKATEBOARDS, ROLLER SKATES, SCOOTERS, AND SIMILAR PLAY VEHICLES. (2151 04/27/04)

(a) <u>Regulation of Skateboards, Roller Skates, Scooters, and Similar Play Vehicles</u>:

1. Definition of "Scooter." In this subsection, the term "scooter" shall not include a gas motor-ized scooter and the term "play vehicle" shall not include a gas motorized scooter, gas motorized vehicle, or any gas motorized riding device.

2. Regulations on Streets. No person shall roller skate or ride or operate a skateboard, scooter, or other similar play vehicle on any public street except for the purpose of crossing the street. The rules relating to pedestrians crossing streets shall apply to persons crossing a street on roller skates, a skateboard, a scooter, or other similar play vehicles. No person crossing a street on roller skates, skateboard, scooter, or play vehicle shall travel too fast for safety under the conditions existing.

3. General Regulations on Sidewalks. No person shall roller skate or ride or operate a skateboard, scooter, or other similar play vehicle in a reckless manner on any public sidewalk or without exercising due care for the safety of other persons using the sidewalk. Any person roller skating or operating a skateboard, scooter, or other similar play vehicle on sidewalks and/ or bike paths shall yield the right-of-way to any pedestrian upon the sidewalk or bike path.
No person shall use or place a ramp, jump, or any other device used to force a skateboard,

scooter, or other play vehicle off the pavement in such a location on a public sidewalk so as to block or obstruct the use of the sidewalk by any pedestrian. No more than one person shall operate or ride on a skateboard, scooter, or play vehicle at one time.

4. Prohibited Areas. No person shall roller skate or ride a skateboard, scooter, or other similar play vehicle in the following areas:

   a. All streets, sidewalks, alleys, public parking lots, or public grounds within the following boundaries:

      [1] The center line of Birch Street on the west.
      [2] The center line of 5th Avenue on the north.
      [3] The center line of Ash Street on the east.
      [4] The center line of 1st Avenue on the south.

   b. On the premises of any business, residence, or other private property in violation of a sign positioned to provide notice and which contains the words "No Skate-boarding" or any other word or combination of words indicating that roller skating or operation of a skateboard, scooter, or other similar play vehicle is prohibited.

   c. The grounds of the Baraboo Public Library.

5. Other Regulations. No person shall roller-skate, or operate, or ride a skateboard, scooter, or similar play vehicle so as to attach or cling to any vehicle or bicycle upon any street, alley, or public or private property within the City.

6. Warning. For a first offense, a written warning may be issued to the offender and no fine shall be imposed. If the offender is under the age of 18 years, his/her parent, guardian, or person having legal custody of the offender may be notified of the violation and further advised that any future violation by the child of this section may result in a penalty being imposed as hereinafter provided. This notice may be personally delivered or mailed by first class mail. (2151 04/27/04)

7. Penalties. Any person violating any of the provisions of this section after a written warning has been issued as provided in Subs. (a)6 above shall, upon conviction, be subject to a penalty as provided in §25.04 of this Code. (2151 04/27/04)

8. Impounding. In addition to the penalty provided in Subs. (a)7 above, the Police Department may, for a second or subsequent offense, after issuing the first offense warning as provided in Subsection (a)6, require the offender to surrender his/her roller skates, skateboard, scooter, or other similar play vehicle to the Police Department for a period of not less than 30 days. If the roller skates, skateboard, scooter, or other similar play vehicle is not reclaimed by the legal owner thereof at the end of the 30-day period, it may be sold at public auction after the expiration of 120 days from the date of seizure and the proceeds of the sale shall be remitted to the City Treasurer (2151 04/27/04)

(2) REGULATION OF IN-LINE SKATES: (2151 04/27/04)

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

(b) Regulation of In-Line Skates on Sidewalks. Every person using in-line skates upon a sidewalk shall yield the right-of-way to any pedestrian and shall exercise due care when passing any other persons

proceeding in the same direction. No person shall use in-line skates on any sidewalks within that portion of the City zoned as B-1 Central Business District.

(c) Use of In-line Skates on Certain Streets Prohibited. No person shall use in-line skates on the following streets:

1. All streets located in that portion of the City zoned as B-1 Central Business District.
2. All State Trunk Highways located with in the corporate limits of the City.
3. All of 8th Street, 8th Avenue, Broadway, South Boulevard, Ash Street, East Street, and Draper Street.

(d) In-line Skaters to Stay on Right Side of Roadway. Every person using in-line skates on a public road- way shall keep as close to the right hand curb as possible.

(e) Clinging to Moving Vehicles Prohibited. No person using in-line skates shall cling to or attach to any motor vehicle, bicycle, or other moving vehicle upon a public roadway.

(f) Observance of Traffic Regulations. Every person using in-line skates upon a public roadway shall stop for all arterial and automatic traffic signals.

(g) Observance of One-Way Streets. Every person using in-line skates upon a public roadway of a one- way street shall proceed in the direction of the one-way traffic.

(h) Operating Two-Abreast Prohibited. Every person when using in-line skates upon a public roadway shall proceed in single file only.

(i) Lighting Required During Hours of Darkness. Any person using in-line skates upon a public road- way during hours of darkness shall carry a lamp emitting a white light visible from a distance of at least 500 feet and shall further wear red reflectorized warning devices which are visible both front and back for a minimum distance of 500 feet.

(j) Use of In-line Skates by Persons under 10 Years Prohibited. No person ten (10) years of age or younger shall use in-line skates upon a public roadway.

(k) Yielding to Traffic. The operator of a vehicle shall yield the right of way to a user of in-line skates in the same manner as for bicyclists and pedestrians under §§346.23, 346.24, 346.37, and 346.38 of the Wisconsin Statutes. Every person, when 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 under §§346.23, 3346.24, 346.37, and 346.38 of the Wisconsin Statutes.

(l) Warning. Same as for Bicycles under §7.15(8) Code.

(m) Penalties. Same as for Bicycles under §7.15(9) Code.

(n) Impounding. Same as for Bicycles under §7.15(10) Code.

7.18 SPECIAL OR SEASONAL WEIGHT LIMITATIONS ON CITY STREETS, BRIDGES AND CULVERTS.

(1) STREET SUPERINTENDENT GRANTED AUTHORITY TO IMPOSE SPECIAL OR SEASONAL WEIGHT LIMITATIONS. The Street Superintendent is designated as the officer in the City of Baraboo granted the powers authorized by §349.16, Wis. Stats. (2033 11/14/2000)

(2) SIGNS. In carrying out the authority granted by this section, the Street Superintendent shall erect appropriate signs in accordance with §349.16(2), Wis. Stats. (1562 02/90, 2033 11/14/2000)

7.19 SPECIAL USE OF CITY STREETS AND SIDEWALKS (1891 12/03/96, 2204 09/13/2005).

(1) DEFINITION OF SPECIAL USE. A special use shall mean an occasion or activity which will limit or restrict the public use of streets, rights-of-way, or sidewalks. Examples of such a use would be the storage of construction materials, landscaping materials or dumpsters, or the erection of scaffolding.

(2) REGULATION OF USE OF STREETS AND SIDEWALKS. The streets and sidewalks of the City are primarily for the use of the public in the ordinary way. Under proper circumstances, a permit may be granted for the use of City streets and sidewalks, subject to reasonable City regulation and control. This section is intended to regulate and control the use of City streets and sidewalks pursuant to the issuance of a special use permit to the end that the health, safety and general welfare of

the public and the good order of the City can be protected and maintained.

(3) A special use permit may be issued by the City Engineer only when all of the following requirements are met:

(a) The suspension of the use of the public way involves frontage on only one parcel of property.

(b) The public way will be used solely for the temporary storage of construction materials, scaffolding or ladders, landscaping materials, dumpsters or similar containers for the storage of discarded materials, or closed in order to protect the public from work on the property such as tree trimming or the painting or repair of buildings abutting the right-of-way.

(c) The suspension of the use of the public way will not exceed five days in duration.

(4) In the event that the proposed activity does not conform to the conditions listed under paragraph (3) above, the City Engineer may refer the requested permit to the Public Safety Committee for consideration and possible action.

(5) It shall be the responsibility of the applicant to provide all required safety devices necessary to protect the public. Traffic control devices shall be placed in accordance with §VI of the Manual of Uniform Traffic Control Devices. Based upon the requested use, the City Engineer may require additional safety devices in order to protect the public during the term of the special use. Such devices may include, but are not necessarily limited to barriers, barricades, lighting, and warning tape. Excavations in the public way are regulated in §8.03 of these Ordinances.

(6) CLEAN UP. Following a special use, the applicant of the use shall be responsible for the immediate cleanup of all streets, sidewalks and alleys within the area of the special use. All cleanup shall be completed within 24 hours of the termination of the activity requiring the permit.

7.20 <u>REGULATION OF UNREGISTERED MOTOR VEHICLES ON CITY STREETS AND PARKING LOTS</u>. (1793 03/28/95)

(1) DEFINITIONS.

(a) <u>Immobilization device</u> means a device or mechanism that immobilizes a motor vehicle by locking around a wheel, thereby making the motor vehicle inoperable.

(b) <u>Unregistered motor vehicle</u> means any motor vehicle that is not currently registered and which is located upon a highway or City parking lot within the City for such time and under such circumstances as to cause the motor vehicle to reasonably appear to have been unregistered for not less than 30 days.

(2) PARKING UNREGISTERED MOTOR VEHICLE ON CITY STREET OR PARKING LOT PROHIBITED.

(a) No person shall park, locate, stop or leave standing any unregistered motor vehicle, whether attended or unattended and whether temporarily or otherwise, upon any portion of a street, highway or City parking lot within the City.

(b) Any City police officer who discovers any unregistered motor vehicle located upon any street, high-way or City parking lot may cause the motor vehicle to be immobilized with an immobilization device or removed to a suitable place of impoundment.

(c) No person shall remove, disconnect, tamper with or otherwise circumvent the operation of an immobilization device except upon release of the motor vehicle to the owner thereof or to make necessary repairs to a malfunctioning immobilization device.

(3) DEFENSE. It shall be a defense to a violation under Subs. 2(a) above if the person charged produces satisfactory evidence that, at the time of the issuance of the citation, either a complete application for registration for the motor vehicle, including evidence of inspection under §110.20, Wis. Stats., when required, accompanied by the required fee has been delivered to the Wisconsin Department of Transportation or deposited in the mail properly addressed with postage prepaid, or the motor vehicle was exempt from registration under Ch. 341 of the Wisconsin Statutes.

(4) IMPOUNDMENT AND SALE.

(a) The owner of any unregistered motor vehicle shall be responsible for all costs of immobilizing, impounding and disposing of unregistered motor vehicle under this section. Any costs not recovered from the sale of the motor vehicle may be recovered in a civil action by the City against the owner.

(b) The owner of an unregistered motor vehicle that is immobilized with an immobilization device or impounded under this section may secure release of the motor vehicle by doing any of the following:

1. Paying any forfeiture imposed for violation of this section and the reasonable costs of immobilizing or impounding the motor vehicle or both and providing satisfactory evidence of one of the following:

a. That the motor vehicle is currently registered in this state.

b. That a complete application for registration for the motor vehicle, including evidence of inspection under §110.20 Wis. Stats. when required, accompanied by the required fee has been delivered to the Wisconsin Department of Transportation or deposited in the mail properly addressed with postage prepaid.

c. That the motor vehicle is exempt from registration under this Chapter.

2. Providing satisfactory evidence, that, at the time of immobilization or impoundment of the motor vehicle, whichever is earlier, either a complete application for registration for the motor vehicle, including evidence of inspection under §110.20 Wis. Stats. when required, accompanied by the required fee had been delivered to the Wisconsin Department of Transportation or deposited in the mail properly addressed with postage prepaid, or the motor vehicle was exempt from registration under this Chapter.

(c) Any motor vehicle in violation of this section may be immobilized with an immobilization device or impounded until lawfully claimed or disposed of under Subs. (d) below except that if it is deemed by a City police officer or other duly authorized representative of the City that the cost of towing and storage charges for the impoundment would exceed the value of the motor vehicle, the motor vehicle may be junked or sold by the City prior to the expiration of the impoundment. Upon determination by the Chief of Police that the motor vehicle is not stolen or otherwise wanted for evidence or other reason. All substantially complete motor vehicles in excess of 19 model years of age shall be disposed of in accordance with Subs. (d) below.

(d) Any motor vehicle that is impounded and not disposed of under Subs. 4(c) shall be retained in storage and disposed of as provided in §341.65(g), Wis. Stats.

(5) PENALTY. Any person who shall violate any provision of this section shall, upon conviction, be subject to a penalty as provided in §25.04 of this Code plus all costs of immobilizing, impounding and disposing of the unregistered motor vehicle.

7.21 <u>PARKING RESTRICTIONS AND TRAFFIC REGULATION AT U.W. BARABOO-SAUK COUNTY CAMPUS</u> (1936 04/21/98)

(1) ORDINANCE AUTHORIZED BY SAUK COUNTY. The City and Sauk County are the co-owners of the U.W. Baraboo-Sauk County Campus and, therefore, this ordinance has been authorized and approved by the Sauk County Board of Supervisors on June 16, 1998, by Resolution #77-98.

(2) OFFICIAL TRAFFIC MAP

(a) <u>Official Traffic Map Established for Center Campus</u>. There is hereby established for the U.W. Baraboo-Sauk County Campus an Official Campus Traffic Map dated May 1, 1998, on which is indicated as of said date no parking, stopping or standing areas; loading zones; restricted parking areas; handicap parking areas; safety zones and islands, loading zones, traffic lanes, fire lanes, and other restrictions and limitations which the laws of the State of Wisconsin require the erection or use of official traffic control devices to enforce such restrictions or limitations. All such restrictions and limitations set forth on said Official Campus Traffic Map are hereby adopted by reference.

(b) <u>Revisions to Map.</u>

1. Additions and Deletions to Map. Upon recommendation by the U.W. Baraboo/Sauk County Campus Commission, the Baraboo City Council may, from time to time, make additions to or deletions from the Official Campus Traffic Map for the U.W. Baraboo-Sauk County Campus. Every addition and deletion to said Official Campus Traffic Map made after May 1, 1998, shall indicate the number of the authorizing ordinance.
2. Ordinance Numbers Changing Map (future use).

(c) Map to be Maintained. The Official Campus Traffic Map for the U.W. Baraboo-Sauk County Campus shall be maintained and displayed in the City of Baraboo's Engineering Department.
The City Engineer, or his/her designee, shall make appropriate authorized changes on said map within three working days after the appropriate official traffic control device is erected or removed, as the case may be. (2033 11/14/2000)

(d) Violations Prohibited. When official traffic control devices giving notice of the restrictions, prohibitions, and limitations shown on the Official Campus Traffic Map for the U.W. Baraboo-Sauk County Campus are erected and maintained in accordance with the provisions of this section, no person shall park, stop, or leave standing any vehicle in violation of any restriction, prohibition, or limitation shown on said map.

(2) DESIGNATED PARKING SPACES. The U.W. Baraboo/Sauk County Campus Commission shall have lines or markings painted upon the drives or parking lot surface for the purpose of designating a parking space. No person shall park any vehicle across any line or marking or park a vehicle in such position that the same shall not be entirely in the area designated by such lines or markings.

(3) PARKING IN GRASSY AREAS PROHIBITED. No person shall park or leave standing any vehicle on any grass area or other portion of the U.W. Baraboo/Sauk County Campus not designated for vehicle parking by official traffic control devices and/or by painted lines or markings.

(4) REMOVAL OF CHALK MARKS PROHIBITED. In order to monitor the continuous length of time that a vehicle is parked in a parking space or zone subject to parking restrictions, it is necessary that the Police Department place a chalk mark or other mark on one or more tires of parked vehicles. It shall be unlawful to remove, erase, or alter, or attempt to remove, erase, or alter any chalk mark or other mark of any kind placed upon any tire of a vehicle parked in any parking zone or space subject to the parking time restrictions.

(5) RESERVED SPACES FOR STAFF. When a parking space in the U.W. Baraboo-Sauk County Campus parking lot is designated by a distinct sign indicating that the parking space in front of the
sign is reserved parking for campus staff, public employees, or a campus department, no person shall park, stop, or leave standing any vehicle in any part of the reserved space.

(6) PENALTY. Any person who shall violate any provision of this section shall, upon conviction, be subject to the penalty and enforcement provisions of §7.24 Penalty and §7.25 Enforcement of this Chapter.

7.22 USE OF RED WARNING LIGHTS BY SCHOOL BUSES. All school buses, as that term is defined by §340.01(56), Wisconsin Statutes, shall display their flashing red warning lights within the City of Baraboo when required by §346.48(2)(a), Wisconsin Statutes, except that flashing red warning lights shall not be displayed when loading or unloading passengers directly from or onto school grounds or that portion of the right-of-way between the roadway and the school grounds. (2242 10/24/2006)

7.23 NEIGHBORHOOD ELECTRIC VEHICLES (2307 05/26/2009)

(1) "Neighborhood Electric Vehicle" (NEV) means Neighborhood Electric Vehicle as defined in section 340.01(36r) of the Wisconsin Statutes and currently registered and licensed by the Wisconsin Department of Transportation.

(2) Individuals may operate an NEV on any street or connecting highway within the jurisdictional limits of the City of Baraboo that has a posted speed limit of 35 miles per hour or less. "Connecting Highways" in the City are as follows:
(a) State Highway 12: None.
(b) State Highway 33: From the west City limits to Lincoln Avenue.
(c) State Highway 113: From Broadway to Mound Street.
(d) State Highway 123: From 8th Avenue to Mulberry Street.

(3) The operation of NEV's shall comply with all traffic statutes and ordinances applicable to vehicles travelling upon streets and highways in the City of Baraboo.

(4) Any person operating an NEV within the jurisdictional limits of City of Baraboo shall hold a valid Wisconsin Driver's license.

(5) Penalty. Any person who violates any provision of this section shall be punished by a forfeiture of $50.00 plus all costs as specified in §25.04(c), Ordinances.

7.24 PENALTY. (1580 02/91, 1600 04/91, 1841 11/28/95)

(1) LOCAL REGULATIONS. The penalty for violation of any provision of this Chapter shall be as provided in §25.04 of this Code.

(2) STATE FORFEITURE STATUTES. Forfeitures for violation of §§340.01 to 348.28, Wis. Stats., shall conform to the forfeiture permitted to be imposed for violation of the Statutes adopted by reference, including any variations or increases for subsequent offenses.

(3) STATE FINE STATUTES. The forfeiture for violation of any State Statute adopted by reference here-under for which the penalty is a fine shall not exceed the maximum fine permitted under such Statute.

(4) PENALTY FOR PARKING VIOLATIONS. The forfeiture for parking violations, other than those violations charged as a violation of State Statutes, adopted by reference in §7.01 of this chapter, shall be as hereinafter provided in addition to any costs associated with the prosecution thereof which are required or authorized by State Statutes as follows:

(a) The penalty for violation of §7.09(19) of this Chapter shall be a forfeiture of not less than $30.00, nor more than $300.00.

(b) When the motor vehicle weighs less than 8,000 pounds, the penalty for violation of §7.09(4), (5), (7), (8), (9), (10), (11), (12), (15), (16), and (17) and §7.14 of this Chapter shall be as follows: (1922 11/11/97, 2422 09/23/2014)

1. $10.00 if paid within 10 days of the issuance of the violation citation.
2. $20.00 if paid after 10 days.

(c) When the motor vehicle weighs 8,000 pounds or more, the penalty for violation of §7.09(4), (5), (6), (7), (8), (9), (10), (11), (12), (15),(16), and (17) of this Chapter shall be as follows:

1. $25.00 if paid within 10 days of the issuance of the violation citation.
2. $35.00 if paid after 10 days.

(d) The penalty for violation of §7.09(3) of this Chapter shall be as follows:

1. $5.00 if paid within 10 days of the issuance of the violation citation.
2. $12.00 if paid after 10 days. (1560 2/90; 1624 8/91)

(e) When the motor vehicle weighs less than 8,000 pounds, the penalty for violation of §7.09(6) of this Chapter shall be as follows: (1922, 11/11/97).

1. $10.00 if paid within 10 days of the issuance of the violation citation.
2. $20.00 if paid after 10 days.

(f) The penalty for violation of §7.09(21) of this Chapter shall be a forfeiture of not less than $20.00 nor more than $40.00 for the first offense and not less than $50.00 nor more than $100.00 for the second or subsequent offense within a 12 month period. (2030 09/12/2000)

7.25 <u>ENFORCEMENT</u>.

(1) ENFORCEMENT PROCEDURE. This chapter shall be enforced in accordance with the provisions of §§345.20 to 345.53, Ch. 229 and §66.l2, Wis. Stats.

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

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

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

(5) PARKING CITATIONS. Citations for all parking violations under this chapter shall conform to §345.28, Wis. Stats., as may be amended, and shall permit direct mail payment of the applicable forfeiture to the Police Department within 10 days of the issuance of the citation in lieu of a court appearance. The citation shall specify thereon the amount of the applicable forfeiture as provided in this chapter.

(6) REGISTRATION RECORD OF VEHICLE AS EVIDENCE. When any vehicle is found upon a street, highway or other public right of way in violation of any provision of this Code regulating the stopping, standing or parking of vehicles and the identity of the operator cannot be determined, the owner, as shown by the ownership registration of the vehicle supplied by the Wisconsin Department of Transportation, or a comparable authority of any other state, shall be deemed to have committed the violation for purposes of the enforcement of this section and shall be subject to the applicable forfeiture penalty; provided, however, that the defenses defined and described in §346.485(5), Wis. Stats., shall be a defense for an owner charged with such violation.

(7) TRAFFIC VIOLATION AND REGISTRATION PROGRAM. Pursuant to the provisions of §345.28(4), Wis. Stats., the City elects to participate in the nonmoving traffic violation

and registration program of the Wisconsin Department of Transportation and pay the costs established by the Department under §85.13, Wis. Stats.; such costs shall in turn be assessed against persons charged with nonmoving traffic violations. The City Police Department shall be responsible for complying with the requirements set forth in §345.28(4), Wis. Stats.

(8) DEPOSIT SCHEDULE. Every police officer or parking attendant issuing a citation for any violation of this chapter shall indicate on the citation the amount of the deposit that the alleged violator may make in lieu of court appearance. The amount of the deposit shall be determined in accordance with the deposit schedule established pursuant to City Ordinances.

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