

## TITLE 8

### Motor Vehicles and Traffic

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### CHAPTER 1

#### Traffic and Parking

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#### SEC. 8-1-1 STATE TRAFFIC LAWS ADOPTED.

- (a) STATUTES ADOPTED. Except as otherwise specifically provided in this Code, the statutory provisions in Chapters 340 to 348 of the Wisconsin Statutes, describing and defining regulations with respect to vehicles and traffic, 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 regulation incorporated herein by reference is required or prohibited by this Chapter. Any future amendments, revisions or modifications of the statutory regulations in Chapters 340 to 348 incorporated herein are intended to be made part of this Chapter in order to secure to the extent legally practicable uniform statewide regulation of vehicles and traffic on the highways, streets and alleys of the State of Wisconsin.

- (b) OTHER STATE LAWS ADOPTED. There are also hereby adopted by reference the following sections of the Wisconsin Statutes, but the prosecution of such offenses under this ordinance shall be as provided in Chapters 340 through 348 of the Wisconsin Statutes and the penalty for violation thereof shall be limited to a forfeiture as hereinafter provided in this Chapter:
  - 350.01 through
  - 350.19 Snowmobiles
  - 941.01 Negligent Operation of Vehicle off Highway
  - 941.03 Highway Obstruction
  - 947.045 Drinking in Motor Vehicle on Highway
- (c) STATUTES SPECIFICALLY INCORPORATED BY REFERENCE. Whenever this Chapter incorporates by reference specific sections of the Wisconsin Statutes, such references shall mean the Wisconsin Statutes of 1981-82 as from time to time amended, repealed or modified by the Wisconsin Legislature.
- (d) GENERAL REFERENCES. General references in this Chapter to Wisconsin statutory sections or chapters describing or defining procedures or authority for enactment or enforcement of local traffic regulations shall be deemed to refer to the most recent enactments of the Wisconsin Legislature describing or defining such procedures or authorities.

SEC. 8-1-2 OFFICIAL TRAFFIC MAP AND CONTROL DEVICES;  
PROHIBITED SIGNS, SIGNALS AND MARKERS.

- (a) DUTY OF DIRECTOR OF PUBLIC WORKS TO ERECT AND INSTALL UNIFORM TRAFFIC CONTROL DEVICES. Whenever traffic regulations created by this Chapter, including a State of Wisconsin traffic regulation adopted by reference in Section 8-1-1, require the erection of traffic control devices for enforcement, the Director of Public Works or his designee shall procure, erect and maintain uniform traffic control devices conforming to the Uniform Traffic Control Device Manual promulgated by the Wisconsin Department of Transportation, giving notice of such traffic regulation to the users of the streets and highways on which such regulations apply. Whenever State law grants discretion to local authorities in erecting or placement of a uniform traffic control device, devices shall be erected in such locations and in such a manner as in the judgment of the Director of Public Works or his designee will carry out the purposes of this Chapter and give adequate warning to users of the streets and highways of the City of Neillsville.
- (b) CODE NUMBERS TO BE AFFIXED TO OFFICIAL TRAFFIC CONTROL DEVICES. The Director of Public Works or his designee shall cause to be placed on each official traffic control sign, a guide board, mile post, signal or marker erected under Subsection (a) a code number assigned by the Wisconsin Department of Transportation, and shall also place or direct the placing of code numbers on all existing official traffic control devices as required by the laws of the State of Wisconsin.
- (c) PROHIBITED SIGNS AND MARKERS IN HIGHWAYS. No person, other than an officer authorized by this Chapter to erect and maintain official traffic control devices or his or her designee, shall place within the limits of any street or highway maintained by the City of Neillsville any sign, signal, marker, mark or monument unless permission is first obtained from the Public Works Department, or where applicable, the State Highway Commission. Any sign, signal, marker, mark or monument placed or maintained in violation of this subsection shall be subject to removal as provided in Subsection (d).
- (d) REMOVAL OF UNOFFICIAL SIGNS, MARKERS, SIGNALS AND TRAFFIC CONTROL DEVICES. The Chief of Police or his designee may remove any sign, signal, marking or other device which is placed, maintained or displayed in violation of this Chapter or state law. Any charge imposed against premises for removal of a prohibited or illegal sign, signal, marking or device shall be reported by the Chief of Police or his designee to the Common Council for

review and certification at its next regular meeting following the imposition of the charge. Any charge not paid on or before the next succeeding November 15 shall be placed upon the tax roll for collection as other special municipal taxes.

(e) OFFICIAL TRAFFIC MAP.

- (1) Official Traffic Map Established. There is hereby established for the City of Neillsville an Official Traffic Map, dated July 1, 1984, upon which is indicated as of said date, all existing stop signs, arterial intersections, yield signs, speed zones and school crossings 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 ratified and affirmed.
- (2) Additions to Map. The Common Council may from time to time make additions to or deletions from the Official Traffic Map and the Chief of Police shall keep such Official Traffic Map current. Every addition to said Official Traffic Map made after July 1, 1984, shall indicate the number of the authorizing ordinance or resolution and the date the appropriate official traffic control device was erected, and every deletion shall indicate the number of the authorizing ordinance or resolution.
- (3) Map to be Maintained. A copy of the Official Traffic Map shall be maintained and displayed in the City Hall. The Chief of Police 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.
- (4) 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.

State Law Reference: Sections 346.41 and 349.09, Wis. Stats.

SEC. 8-1-3 SPECIAL SPEED RESTRICTIONS.

Motor vehicles shall be operated at:

- (a) A speed not in excess of fifteen (15) miles per hour when children are present or are playing within the sidewalk area or at or about the playground - Prospect Street, lying between 11th and 12th Streets and 12th Street, lying between Prospect Street and Johnson Street.
- (b) A speed not in excess of fifteen (15) miles per hour when children are present or are playing or skiing from State Street on East Second Street for a distance east eight hundred (800) feet.
- (c) A speed not in excess of fifteen (15) miles per hour on all streets located within City parks.

SEC. 8-1-4 RESTRICTIONS ON PARKING.

- (a) SEVENTY-TWO (72) HOUR LIMITATION. No person shall park or leave standing any vehicle on any street in the City of Neillsville for a period of seventy-two (72) or more consecutive hours in the same location at any time. When any police officer shall find a vehicle standing upon a street in violation of the provisions of this section, he is authorized to move such a vehicle or to require the operator in charge thereof to move such vehicle to a position permitted under this ordinance. The police officer may cause said vehicle to be removed to a proper impoundment and storage area within the City where storage space is available and in such case the owner shall pay the costs of removing said vehicle and the storage fees on said vehicle before he may recover the possession thereof.
- (b) POSTED LIMITATIONS. No person shall park or cause to be parked, except physicians on emergency calls, on any street in the City of Neillsville in violation of the hours as posted on the signs placed at or reasonably near the corporate limits of the City of Neillsville in accordance with the provisions of Section 349.13 of the Wis. Stats.

- (c) **RESTRICTED PARKING ON STREETS.** It shall be unlawful for any person or persons to leave unattended any automobile, truck or other vehicle on the streets of the City of Neillsville between the hours of 2:00 a.m. and 5:30 a.m. between the following dates: November 15 and April 15 of each year; and the following streets during the period of April 15 to November 15: Grand Avenue from 7th Street to 4th Street, West Street from 7th Street to 4th Street, Hewett Street from 7th Street to 4th Street, Court Street from 7th Street to 4th Street, State Street from 7th Street to 4th Street, 4th Street from State Street to Grand Avenue, 5th Street from State Street to Grand Avenue, 6th Street from State Street to Grand Avenue, 7th Street from State Street to Grand Avenue.
- (d) **POST OFFICE PARKING.** It shall be unlawful for any person to park a motor vehicle in front of the U.S. Post Office located on Hewett Street during those hours when the U. S. Post Office is open to the public, except by persons who are using the postal facilities and only during the use thereof.
- (e) **SCHOOL TERM PARKING.** It shall be unlawful for any person to park a motor vehicle on East 5<sup>th</sup> Street between State Street and East Street, between the hours of 7:00 a.m. and 9:00 a.m., and 2:00 p.m. and 4:00 p.m. on Monday through Friday while school is in session.

§ 8-1-4 (e) - Created: Ord. 870, 9/23/86

§ 8-1-4 (d) - Amended: Ord. 1040, 6/11/13

§ 8-1-4 (e) - Recreated: Ord. 1051, 10/13/15

SEC. 8-1-5 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 Chapter shall obey the direction of such Official Traffic Control Device as required by the Wisconsin Statutes incorporated by reference in Section 8-1-1 of this Chapter. Operators of vehicles approaching a stop sign shall stop before entering a highway as required by Section 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 Section 346.18(6), Wis. Stats.

SEC. 8-1-6 PARKING OF VEHICLES OVER 10,000 POUNDS OR 20 FEET RESTRICTED.

No person owning or having control of any truck, trailer, truck power unit, tractor, bus or recreation vehicle in excess of ten thousand (10,000) pounds gross weight, or over twenty (20) feet in length, or having an enclosed area of a height of more than twelve (12) feet from the roadway, shall park same upon any street, avenue or public way in the City between the hours of 6:00 p.m. and 7:00 a.m. Only one hour of total parking will be allowed between 7:00 a.m. and 6:00 p.m. The provisions of this subsection shall not be deemed to prohibit the lawful parking of such equipment upon any street, avenue or public way in the City for the actual loading or unloading of goods, wares or merchandise, providing, however, the "loading" and "unloading," as used in this Section, shall be limited to the actual time consumed in such operation. The Common Council may, however, designate specific truck parking zones.

Amended: Ord. 983, 07/10/01

SEC. 8-1-7 SPECIAL AND SEASONAL WEIGHT LIMITATIONS.

- (a) **SPECIAL LIMITS.** The Director of Public Works shall have the authority to impose special or seasonal weight limits to prevent injury to the roadway of any highway, bridge or culvert within the jurisdiction of the City of Neillsville or for the safety of users thereof and shall be responsible for erecting signs giving notice thereof in accordance with Section 349.16 of the Wisconsin Statutes.
- (b) **WEIGHT LIMITS IN PARKS.** A weight limitation is hereby established on all streets in City parks of eight thousand (8,000) pounds.
- (c) **WEIGHT RESTRICTION ON GRAND AVENUE.** A weight limitation is hereby established on Grand Avenue in said City from Division Street to Fourth Street of eighteen thousand (18,000) pounds.

SEC. 8-1-8 3 HOUR PARKING AREAS.

Except for locations for which a parking permit has been issued, no operator of a motor vehicle shall park such vehicle for a period greater than three (3) hours between the hours of 8:00 a.m. and 5:00 p.m. for each day of the week except Saturday and Sunday or legal holidays in the following designated areas:

- (a) 4<sup>th</sup> Street lying between West and Hewett Streets.
- (b) The north side of 4<sup>th</sup> Street lying between Hewett and State Streets.
- (c) 5<sup>th</sup> Street lying between Clay Street and a point 1056 feet east of State Street.
- (d) 6<sup>th</sup> Street lying between Grand Avenue and Huron Street.
- (e) 7<sup>th</sup> Street lying between Grand Avenue and Hewett Street.
- (f) Hewett Street lying between 4<sup>th</sup> and 8<sup>th</sup> Streets.
- (g) Court Street, lying between 4<sup>th</sup> and 5<sup>th</sup> Streets; the east side of Court Street between 5<sup>th</sup> and 6<sup>th</sup> Streets; and Court Street lying between 6<sup>th</sup> Street and its terminus to the north.
- (h) State Street, lying between 4<sup>th</sup> and 5<sup>th</sup> Streets, and lying between 6<sup>th</sup> Street and its terminus to the north.
- (i) Grand Avenue between 4<sup>th</sup> and 8<sup>th</sup> Streets.
- (j) Upper level of the Municipal Parking Lot.
- (k) Lower Level of the Municipal Parking Lot.
- (l) Sniteman Town Square Parking Lot located at 5<sup>th</sup> and Hewett Streets.
- (m) East Library parking lots.

Created: Ord. 858, 6/25/85

Amended: Ord. 946, 5/13/97

Amended: Ord. 990, 9/25/01

Amended: Ord. 998, 8/12/03

Amended: Ord. 1064, 11/24/20

SEC. 8-1-9 USE OF SIDEWALKS

- (a) **DEFINITIONS.** The following definitions shall apply to this section:
- (1) **Pedestrian.** Shall have the meaning as set forth in sec. 340.01(43) Wis. Stats., and currently defined as any person afoot or any person in a wheelchair, either manually or mechanically propelled, or other low-powered, mechanically propelled vehicle designed specifically for use by a physically disabled person, but does not include any person using an electric personal assistive mobility device.
  - (2) **Sidewalk.** Shall have the meaning as set forth in sec. 340.01(58) Wis. Stats., and currently defined as that portion of a highway between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, constructed for use of pedestrians.
- (b) **OBEDIENCE OF TRAFFIC CONTROL DEVICES.** No person shall fail to obey the instructions of any uniform traffic control device when traveling as a pedestrian on any highway or City owned right of way within the City unless otherwise directed by a law enforcement officer.
- (c) **USE OF SIDEWALKS.** Where sidewalks are provided, no pedestrian shall move, walk, run or otherwise travel along and upon an adjacent roadway, alleyway or other City owned right of way except when the sidewalk is visibly unsafe, obstructed or closed to public travel. Where sidewalks are provided but wheelchair access is not available, disabled persons may move along and upon an adjacent roadway until they reach an access point in the sidewalk.
- (d) **NO SIDEWALK AVAILABLE.** Where a sidewalk is not provided adjacent to a roadway, each pedestrian walking along and upon such roadway shall move, walk, run or otherwise travel only on the shoulder thereof and as far as practicable from the edge of such roadway. Where neither a sidewalk nor a shoulder adjacent to a walkway is provided each pedestrian traveling along and upon such roadway shall move, walk, run or otherwise travel as near as practicable to an outside edge of such roadway and if such roadway carries motor vehicle traffic traveling in opposite directions each pedestrian walking along and upon such roadway shall move, walk, run or otherwise travel only upon the left side of such roadway so as to face oncoming traffic.
- (e) **PEDESTRIANS TO YIELD TO MOTOR VEHICLES.** No pedestrian shall suddenly leave a curb, sidewalk, crosswalk or any other place of safety adjacent to or upon a roadway and move, walk, run or otherwise travel into the path of a vehicle which is so close to such pedestrian as to constitute an immediate hazard to such pedestrian.
- (f) **PENALTIES.** Violation of any portion of this section shall be subject to the general penalties provision of the City of Neillsville Ordinances.

SEC. 8-1-10 STOPPING OR PARKING PROHIBITED IN CERTAIN SPECIFIED PLACES:  
ANGLE PARKING.

- (a) **PARKING PROHIBITED.** No person shall stop, park or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, in any of the following places:
- (1) Within an intersection.
  - (2) On a crosswalk.
  - (3) On a sidewalk or sidewalk area, except when parking in such place is clearly indicated by official traffic signs or markers or parking meters.
  - (4) Alongside or opposite any highway excavation or obstruction when such stopping or standing would obstruct traffic or when pedestrian traffic would be required to travel in the roadway.
  - (5) On the roadway side of any parked vehicle unless double parking is clearly indicated by official traffic signs or markers.
  - (6) Within twenty (20) feet of the driveway entrance to a fire station.
  - (7) Upon any portion of a highway where and at the time when stopping or standing is prohibited by official traffic signs indicating the prohibition of any stopping or standing.
  - (8) In any place or manner so as to obstruct or hinder traffic.
  - (9) Within ten (10) feet of a fire hydrant, unless a greater distance is indicated by an official traffic sign.
  - (10) Upon any portion of a highway where and at the time when parking is prohibited, limited or restricted by official traffic signs.
  - (11) Upon any bridge.
  - (12) On the west side of Hewett Street from the O'Neill Creek Bridge to 18th Street.
  - (13) On the west side of Black River Road, from where it begins to 21st Street.
  - (14) On the south side of 4th Street between State Street and the school district property there shall be no parking. Parking shall be allowed on the north side of this section on 4th Street.
- (b) **ANGLE PARKING.** Angle parking or parking diagonally is prohibited on all the streets, alleys and highways of the City of Neillsville except where vehicle parking markers indicate that the same is permissible.

§ 8-1-10(a)(13) - Created: Ord. 893, 8/8/89 - Renumbered: Ord. 978, 3/13/01

§ 8-1-10(a)(14) - Created: Ord. 894, 8/8/89 - Renumbered: Ord. 978, 3/13/01

§ 8-1-10(a)(15) - Created: Ord. 921, 9/8/94 - Renumbered: Ord. 978, 3/13/01

SEC. 8-1-11 PARKING IN DRIVEWAYS.

No person shall park or leave standing any motor vehicle in any private driveway without the permission of the owner or leasee of the property upon which such driveway is located, whether or not such driveway is posted to limit or restrict parking. No person shall park or leave standing any motor vehicle closer than three (3) feet to a driveway entrance or in any way block the ingress or egress to the driveway.

SEC. 8-1-12 MISCELLANEOUS PARKING RESTRICTIONS.

- (a) **PARKING DURING SNOW REMOVAL.** No person shall park, place or leave standing any automobile, truck or other vehicle on any street or public way after one hour from the time such area has been designated and marked with signs or barriers by an agent of the City indicating no parking due to snow removal. The Common Council hereby declares that an emergency exists during and following a snow storm until the snow from the storm has been removed; therefore, this paragraph shall be controlling over any other ordinance which might in any way conflict.

- (b) **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 signs bearing the words "No Parking - Street Maintenance Work." Such signs shall be erected at least two (2) hours prior to the time that street maintenance work is to be commenced. No person shall park a motor vehicle in violation of such signs.

SEC. 8-1-13 PARKING RESERVED FOR VEHICLES OF DISABLED.

When official traffic signs indicating such restriction have been erected in accordance with Section 8-1-2 of this Chapter, no person shall park, stop or leave standing any vehicle upon any portion of a street, highway or public or private parking facility reserved for vehicles displaying special registration plates or identification cards or emblems issued by the Wisconsin Department of Transportation or, for vehicles registered in another jurisdiction, by such other jurisdiction designating the vehicle as one used by a physically disabled person.

SEC. 8-1-14 UNLAWFUL REMOVAL OF PARKING CITATIONS.

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

SEC. 8-1-15 REGISTRATION RECORD OF VEHICLE AS EVIDENCE.

When any vehicle is found upon a street or highway in violation of any provision of this Chapter regulating the stopping, standing or parking of vehicles and the identity of the operator cannot be determined, the owner as shown by the ownership registration of the vehicle supplied by the Wisconsin Department of Transportation, or a comparable authority of any other State, shall be deemed to have committed the violation for purposes of enforcement of this Chapter and specifically Section 8-1-1 and shall be subject to the applicable forfeiture penalty; provided the defenses defined and described in Section 346.485(5)(b), Wis. Stats., shall be a defense for an owner charged with such violation.

SEC. 8-1-16 ACCIDENT REPORTS.

The operator of every vehicle involved in an accident involving damage to property shall immediately file with the City Police Department or the Clark County Sheriff's Department a copy of the report required by Section 346.70 of the Wisconsin Statutes, if any. If the operator is unable to make such report, any occupant of the vehicle at the time of the accident capable of making such report shall have the duty to comply with this Section. Such reports shall be subject to the provisions and limitations of Sections 346.70(4)(f) and 346.73 of the Wisconsin Statutes.

SEC. 8-1-17 SCHOOL BUS WARNING LIGHTS.

- (a) Notwithstanding the provisions of Sections 346.48(2)(b) and 349.21(1) Wis. Stats., adopted by reference in Section 8-1-1 to the contrary:
- (1) All school bus operators operating a school bus in a residence or business district in the City of Neillsville must use flashing red warning lights on the bus when pupils or other authorized passengers are to be loaded or unloaded at which there are no traffic signals and such persons must cross the street or highway before being loaded or after being loaded.



- (2) This provision shall not require the use of flashing red warning lights in the City of Neillsville by school bus operators when pupils or other authorized passengers are loaded or unloaded directly from or onto the school grounds or that portion of the right-of-way between the roadway and the school grounds in a zone designated by "school" warning signs as provided in Section 118.08(1) Wis. Stats. or its successor provisions in which a street or highway borders the grounds of the school.
- (3) Any school bus driver violating this ordinance by not using flashing red warning lights on the bus as required by this ordinance may be required to forfeit not less than Thirty dollars (\$30) nor more than Three Hundred dollars (\$300).
- (4) Any person operating a vehicle which approaches from the front or the rear any school bus which has stopped on a street or highway in the City of Neillsville when the bus is equipped according to Section 347.25(2) Wis. Stats., or its successor provisions and when it is displaying flashing red warning lights shall stop the vehicle not less than twenty (20) feet from the bus and shall remain stopped until the bus resumes motion or the operator extinguishes the flashing red warnings lights. This provision does not apply to operations of vehicle proceeding in the opposite direction on a dividend highway. Failure to comply with this provision may subject the person to a forfeiture of Thirty dollars (\$30) to not more than Three Hundred dollars (\$300).

Recreated: Ord. 955, 4/14/98

SEC. 8-1-18 OPERATION OF MOTOR VEHICLES IN PUBLIC PARKING LOTS AND RAMPS.

- (a) **UNLICENSED OPERATORS PROHIBITED.** No person who does not hold a valid operator's license shall operate a vehicle in any public parking lot or ramp or in any private parking lot or ramp held out for the use of parking for the general public.
- (b) **TRAFFIC REGULATIONS APPLICABLE.** All provisions of Section 8-1-1 of this Chapter and of the Wisconsin Statutes and laws incorporated herein by reference shall be applicable on any public parking lot or ramp and on any private parking lot or ramp held out for the use of the general public for parking or vehicular travel.

SEC. 8-1-19 MOTOR VEHICLE CONDUCT PROHIBITED.

- (a) **UNNECESSARY NOISE PROHIBITED.** It shall be unlawful for any person to operate a motor vehicle in such a manner which shall make or cause to be made any loud, disturbing or unnecessary sounds or noises such as may tend to annoy or disturb another in or about any public or private area in the City or to unnecessarily use a vehicle horn or other electronic sounding device emitted from any motor vehicle.
- (b) **UNNECESSARY SMOKE PROHIBITED.** It shall be unlawful for any person to operate a motor vehicle in such a manner which shall make or cause to be made any smoke, gases or odors which are disagreeable, foul or otherwise offensive which may tend to annoy or disturb another in or about any public or private area in the City of Neillsville.
- (c) **UNNECESSARY ACCELERATION PROHIBITED.** It shall be unlawful for any person to operate a motor vehicle in such a manner which shall make or cause to be made any stones, gravel, soil, dirt, water, snow, slush, ice, rubber or any other debris to be thrown by the wheels of such motor vehicle upon the person or property of any person in the City or for the driver to make any unusual moves, turns, or stops with a motor vehicle or any sudden veering of a vehicle to alarm or disturb any pedestrian traffic or other vehicular traffic.
- (d) **AVOIDANCE OF TRAFFIC CONTROL DEVICE PROHIBITED.** It shall be unlawful for any person to operate a motor vehicle in such a manner as to leave the roadway and travel across private property to avoid an official traffic control device, sign or signal.

- (e) **OPERATION IN RESTRICTED AREA PROHIBITED.** It shall be unlawful for any person to operate a motor vehicle in such a manner as to leave the roadway and park, stop or travel upon or across any public or private property, parking lot, driveway or business service area for any purpose except the official conduct of business located on said property without the consent of the owner or lessee of the property. This section shall specifically include but not be limited to:
  - (1) City park property;
  - (2) School properties;
  - (3) Medical facilities;
  - (4) Funeral homes;
  - (5) Service stations;
  - (6) Grocery stores;
  - (7) Restaurants;
  - (8) Financial institutions; and
  - (9) Other similar-type businesses with service driveways or drive-up or drive-through facilities.
- (f) **STOPPING AND PARKING PROHIBITED.** It shall be unlawful for any person to stop or park a motor vehicle in any manner on any public or private property or parking lot contrary to a regulatory sign posted thereon which may permit parking by certain persons and limits, restricts or prohibits parking as to other persons without the consent of the owner or lessee of the property. Any vehicle parked in violation of this section may be removed or towed by the property owner at the vehicle owner's expense.
- (g) **USE OF COMPRESSION (JAKE) BRAKES PROHIBITED.** It shall be unlawful for any vehicle equipped with compression brakes to downshift and release the clutch to utilize the vehicle's engine to slow in order to meet proper speed restrictions within the City. It shall be an affirmative defense to prosecution under this section that said compression brakes were applied in an emergency and were necessary for the protection of persons and or property.

Created: Ord. 898, 9/10/90

§8-1-19(g) - Created: Ord. 997, 6/24/03

SEC. 8-1-20 REMOVAL OF ILLEGALLY PARKED VEHICLES.

- (a) **HAZARD TO PUBLIC SAFETY.** Any vehicle parked, stopped or standing upon a highway in violation of any of the provisions of this Chapter is declared to be a hazard to traffic and public safety.
- (b) **REMOVAL BY OPERATOR.** Such vehicle shall be removed by the operator in charge, upon request of any traffic officer, to a position where parking is permitted or to a private or public parking or storage premises.
- (c) **REMOVAL BY TRAFFIC OFFICER.** Any traffic 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 permitted.
- (d) **REMOVAL BY PRIVATE SERVICE.** The officer may order a motor carrier holding a permit to perform vehicle towing services, a licensed motor vehicle salvage dealer or a licensed motor vehicle dealer who performs vehicle towing services to remove and store such vehicle in any public storage garage or rental parking grounds or any facility of the person providing the towing services.
- (e) **TOWING AND STORAGE CHARGES.** In addition to other penalties provided in this Chapter, the owner or operator of a vehicle so removed shall pay reasonable cost of moving, towing and storage. If the vehicle is towed or stored by a private motor carrier, motor vehicle salvage dealer or licensed motor vehicle dealer, actual charges regularly paid for such services shall be paid. If the vehicle is stored in a public storage garage or rental facility, customary charges for such storage shall be paid. Upon payment, a receipt shall be issued to the owner of the vehicle for the towing or storage charge.

SEC. 8-1-21 INOPERABLE, WRECKED OR DISCARDED VEHICLES.

- (a) STORAGE PROHIBITED. No person owning or having custody of any partially dismantled, nonoperable, wrecked, junked or discarded motor vehicle shall allow such vehicle to remain on any public highway, parking lot or ramp longer than seventy-two (72) hours after notification thereof by the Police Department. Notification shall be accomplished by placing in a conspicuous place on the vehicle and by mailing or serving upon the owner or occupant in charge of the premises a written notice setting forth briefly the applicable provisions of this Section and the date of the notice. Any vehicle so tagged which is not removed within twenty-four (24) hours after notice is declared to be a public nuisance and may be removed as provided in Section 8-1-20.
- (b) EXEMPTIONS. This Section shall not apply to a motor vehicle in an appropriate storage place or depository maintained in a lawful place and manner authorized by the City.

SEC. 8-1-22 LEAVING KEYS IN VEHICLE PROHIBITED;  
PARKING VEHICLES WITH MOTOR RUNNING.

- (a) LEAVING KEYS IN VEHICLE. No person shall permit any motor vehicle in his custody to stand or remain unattended on any street, alley or other public area, except an attended parking area, unless either the starting lever, throttle, steering apparatus, gear shift or ignition of the vehicle is locked and the key for such lock is removed from the vehicle.
- (b) PARKING VEHICLES WITH MOTOR RUNNING. No person shall park or leave standing any motor vehicle, used for commercial purposes, with the motor or refrigerator unit running for more than five (5) minutes within one hundred (100) feet of any residence within the City between the hours of 10:00 p.m. and 7:00 a.m.

Amended: Ord. 983, 07/10/01

SEC. 8-1-23 UNATTENDED MOTORIZED MACHINERY.

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

SEC. 8-1-24 STATE ADMINISTRATIVE CODE PROVISIONS ADOPTED.

- (a) ADMINISTRATIVE REGULATIONS ADOPTED. The following administrative rules and regulations adopted by the Secretary of the Wisconsin Department of Transportation and published in the Wisconsin Administrative Code, exclusive of any provisions therein relating to the penalties to be imposed, are hereby adopted by reference and made part of this Chapter as if fully set forth herein.

Wis. Adm. Code - MVD 3	Reciprocity - Nonresident Motor Carriers [Penalties of Wis. Stats. § 341.04 apply]
Wis. Adm. Code - MVD 4	Lettering on Vehicles, Display of Evidence of Registration and Dual Permit
Wis. Adm. Code - MVD 5	Standards for Motor Vehicle Equipment
Wis. Adm. Code - MVD 6	Transportation of Explosives by Motor Vehicles
Wis. Adm. Code - MVD 17	Transportation of School Children
Wis. Adm. Code - MVD 18	Protective Headgear Standards and Specifications
Wis. Adm. Code - MVD 22	Standards and Specifications - Design and Mounting SMV Emblem

- (b) **NON-COMPLIANCE PROHIBITED.** No person shall operate or allow to be operated on any highway, street or alley within the City a vehicle that is not in conformity with the requirements of Subsection (a) or the provisions of Section 110.075 and Chapter 347, Wis. Stats., incorporated by reference in Section 8-1-1 of this Chapter.
- (c) **OWNER'S LIABILITY.** Any owner of a vehicle not equipped as required by this Section who knowingly causes or permits such vehicle to be operated on a highway in violation of this Section is guilty of the violation the same as if he or she had operated the vehicle. The provisions of Section 347.04, Wis. Stats., relating to non-applicability of demerit points, shall apply to owners convicted of violation of this Section.
- (d) **SAFETY CHECKS.**
  - (1) Operators to Submit to Inspection. When directed to do so by any law enforcement officer, the operator of any motor vehicle shall stop and submit such vehicle to an inspection and such tests as are necessary to determine whether the vehicle meets the requirements of this Section, or that the vehicle's equipment is in proper adjustment or repair. No person, when operating a motor vehicle, shall fail to stop and submit such vehicle to inspection when directed to do so by any law enforcement officer as herein provided.
  - (2) Authority of Officer. Any law enforcement officer of the City is hereby empowered whenever he or she shall have reason to believe that any provision of this Section is being violated to order the operator of the vehicle to stop and to submit such vehicle to an inspection with respect to brakes, lights, turn signals, steering, horns and warning devices, glass, mirrors, exhaust systems, windshield wipers, tires and other items of equipment.
  - (3) Vehicle to be Removed from Highway. Whenever, after inspection as provided by this Section, a law enforcement officer determines that a vehicle is unsafe for operation, he or she may order it removed from the highway and not operated; except for purposes of removal and repair until the vehicle has been repaired as directed in a repair order. Repair orders may be in the form prescribed by the Secretary of the Department of Transportation under Section 110.075(5), Wis. Stats., and shall require the vehicle owner or operator to cause the repairs to be made and return evidence of compliance with the repair order to the department of the issuing officer within the time specified in the order.
- (e) **PENALTY.** Penalty for violation of any provision of this Section including the provisions of the Wisconsin Administrative Code, incorporated herein by reference, shall be as provided in Subsection (c) of this Section, together with the costs of prosecution and applicable penalty assessment.

**SEC. 8-1-25 OFF-HIGHWAY VEHICLE OPERATION IN CITY RESTRICTED.**

It shall be unlawful to operate any mini-bike, go-kart or other motor-driven craft or vehicle principally manufactured for off-highway use on the City streets, alleys, parks, parking lots, or on any public lands or private lands or parking lots held open to the public, except as follows: 1) all-terrain vehicles and utility-terrain vehicles which are covered elsewhere in this ordinance; 2) lawn mowers; and, 3) golf carts as allowed by state statute. The operator shall at all times have the consent of the owner before operation of such craft or vehicle on private lands.

Amended: Ord. 1060, 01/28/20

**SEC. 8-1-26 TRAFFIC AND PARKING REGULATIONS ON SCHOOL DISTRICT GROUNDS.**

Pursuant to the provisions of Section 118.105, Wis. Stats., the following regulations shall apply to the grounds of the Neillsville School District located within the City:

- (a) **HIGH SCHOOL PARKING.** All parking on any grounds of the Neillsville School District shall be restricted to areas designated for parking by the School Board. When signs are erected by the School Board giving notice of such restrictions, all persons shall park only in designated areas. There shall be no parking on said grounds between 11:00 p.m. and 6:00 a.m., except when school

functions begin before 6:00 a.m. or extend past 11:00 p.m.; in the latter case, parking will be permitted until one hour after the function has concluded.

- (b) **SPEED LIMITS.** No person shall at any time operate a motor vehicle upon any Neillsville School District grounds at a speed in excess of ten (10) miles per hour.
- (c) **VEHICLES PROHIBITED AT SPECIFIED TIMES.** No person shall at any time operate a motor vehicle, other than a school bus and emergency vehicle, in or upon any drive designated for buses only, as posted during the hours of 7:45 a.m. to 8:30 a.m. and during the hours of 2:45 p.m. to 3:30 p.m. on any weekday during the months school is in session.
- (d) **ONE-WAY TRAFFIC DURING SCHOOL SESSION.** Willow Street from the north line of the intersection of East 2nd Street, as it now exists, north to the end of the public right-of-way on said Willow Street, will be one-way for northbound traffic ONLY during the hours of 7:45 a.m. to 8:15 a.m. and 3:00 p.m. to 3:30 p.m. when school is in session.

§ 8-1-26(d) - Created: Ord. 886, 8/29/88

Amended: Ord. 993, 7/23/02

SEC. 8-1-27 PENALTIES.

- (a) **FORFEITURE PENALTY.** The penalty for violation of any provision of this Chapter shall be a forfeiture as hereafter provided, together with court costs and fees prescribed by Sections 814.63(1) and (2) or 814.65(1), Wis. Stats., the penalty assessment for moving traffic violations and the driver improvement surcharge imposed by Section 165.87 and 346.655, Wis. Stats., where applicable. Payment of the judgment and applicable court costs, fees, assessments and surcharges may be suspended by the sentencing court for not more than sixty (60) days. Any person eighteen (18) years of age or older who shall fail to pay the amount of the forfeiture, court costs, any penalty assessment or driver surcharge or other penalty imposed for violation of any provision of this Chapter may, upon order of the court entering judgment therefor and having jurisdiction of the case, be imprisoned until such forfeiture, costs and assessments are paid, not exceeding ninety (90) days.
- (b) **OTHER SANCTIONS.**
  - (1) By Court. Nothing herein shall preclude or affect the power of the sentencing court to exercise additional authorities granted by the Wisconsin Statutes to suspend or revoke the operating privileges of the defendant, order the defendant to submit to assessment and rehabilitation programs or to attend traffic safety school in addition to payment of a monetary penalty or in lieu of imprisonment.
  - (2) By Municipality. No person who has been convicted of a violation of any provision of this Chapter shall be issued a license or permit by the City Clerk-Treasurer, except dog license, until the forfeiture imposed for such violation and any penalty assessment, court costs and fees or surcharge is paid.
- (c) **FORFEITURES FOR VIOLATION OF MOVING TRAFFIC REGULATIONS.** Forfeitures for violations of any moving traffic regulation set forth in the Wisconsin Statutes adopted by reference in Section 8-1-1 shall conform to the forfeiture penalty permitted to be imposed for violations of the comparable Wisconsin Statute, including any variations or increases for subsequent offenses; provided, however, that this subsection shall not be construed to permit prosecution under this Chapter for any offense described in Chapters 341 to 348, Wis. Stats. for which an imprisonment penalty or fine may be imposed upon the defendant.
- (d) **FORFEITURES FOR PARKING VIOLATIONS.**
  - (1) Forfeitures for Uniform Statewide Parking, Stopping and Standing Offenses. Minimum and maximum forfeitures for violation of non-moving traffic violations adopted by reference in Section 8-1-1 as described in Chapters 341 to 348, Wis. Stats., shall be as provided for the comparable state non-moving traffic violation.
  - (2) Penalty for Other Parking Violations. The penalty for all other parking violations not included under Subsection (1) above shall be a forfeiture of not less than Two (\$ 2.00) Dollars nor more than One Hundred (\$ 100.00) Dollars for the first offense and not less than Five (\$ 5.00) Dollars nor more than Two Hundred (\$ 200.00) Dollars for the second offense within two (2) years.

- (e) OTHER VIOLATIONS. Any person who shall violate any provision of this Chapter for which a penalty is not otherwise established by this Section shall be subject to a forfeiture of not less than Three (\$ 3.00) Dollars nor more than Two Hundred (\$ 200.00) Dollars.

SEC. 8-1-28 ENFORCEMENT.

- (a) ENFORCEMENT PROCEDURES. How enforced. This Chapter shall be enforced in accordance with the applicable provisions of the Wisconsin Statutes and this Section.
- (b) CITATIONS.
  - (1) Uniform Citation and Complaint. The Wisconsin Uniform Traffic Citation and Complaint described and defined in the Wisconsin Statutes shall be used for enforcement of all provisions of this Chapter except those provisions which describe or define non-moving traffic violations and violations of Sections 346.71 through 346.73, Wis. Stats. Violations of Sections 346.71 through 346.73, Wis. Stats., shall be reported to the District Attorney and the Wisconsin Uniform Traffic Citation shall not be used in such cases except upon written request of the District Attorney.
  - (2) Parking Citations. The Chief of Police shall recommend a citation for use in enforcing the non-moving traffic offenses in this Chapter. When approved by the Common Council, such citation shall be used for enforcement of non-moving traffic regulations created or adopted by this Chapter, including violations of non-moving traffic regulations defined and described in the Wisconsin Statutes, adopted by reference in Section 8-1-1, and all provisions regarding non-moving traffic violations in this Chapter. The citation for non-moving traffic violations shall contain a notice that the person cited may discharge the forfeiture for violation of a non-moving traffic regulation and penalty thereof by complying with Subsection (c)(2) of this Section. Non-moving traffic citations may be issued by law enforcement officers or by civilian employees of the Police Department.
- (c) DEPOSITS AND STIPULATIONS.
  - (1) Moving Traffic Offenses.
    - a. Who May Make. Persons arrested or cited for violation of moving traffic offenses created by this Chapter shall be permitted to make deposits and stipulations of no contest or released by the arresting officer in accordance with the applicable provisions of the Wisconsin Statutes. Stipulations of guilt or no contest may be made by persons arrested for violations of this Chapter in accordance with Section 66.12(1)(b) of the Wisconsin Statutes whenever the provisions of Section 345.27 of the Wisconsin Statutes are inapplicable to such violations. Stipulations shall conform to the form contained on the uniform traffic citation and complaint under Section 345.11 of the Wisconsin Statutes and may be accepted within five (5) days of the date of the alleged violation. Stipulations may be accepted by the Clerk of Circuit Court and by the City Police Department.
    - b. Delivery or Mailing of Deposit and Stipulation. Any person stipulating guilt or no contest under the preceding Subsection must make the deposit required under Section 345.26 of the Wisconsin Statutes or, if the deposit is not established under such Statute, shall deposit a forfeited penalty as provided in the schedule established by the Chief of Police and approved by the Common Council. Deposits may be brought or mailed within five (5) days of the issuance of the citation in lieu of court appearance to the office of the Police Department or Clerk of Circuit Court as directed by the arresting officer.

- c. Receipt Required. Every officer accepting a stipulation under the provisions of this Chapter shall comply with the provisions of Sections 343.27, 343.28, 345.26(1)(a) and 345.27(2) of the Wisconsin Statutes and shall require the alleged violator to sign a statement of notice in substantially the form contained on the uniform traffic citation and complaint promulgated under Section 345.11 of the Wisconsin Statutes. The official or person receiving the deposit shall furnish and deliver or mail an original receipt for such deposit to the alleged violator and shall deliver the deposit and stipulation, and a copy of the receipt within seven (7) days to the Clerk of Circuit Court.
- (2) Non-moving Traffic Offenses.
- a. Direct Payment of Penalty Permitted. Persons cited (summons not issued) for violation of non-moving traffic offenses described and defined in this Chapter may discharge the penalty thereof and avoid court prosecution by mailing or forwarding within five (5) days of the issuance of the citation to the Police Department the minimum penalty specified for the violation. If not so forwarded, the penalty may be discharged by forwarding within fifteen (15) days of the date of the citation to the above named office the amount of Fifteen (\$ 15.00) Dollars. When payment is made as provided in this paragraph, no court costs shall be charged.
  - b. Court Prosecution. If the alleged violator does not deliver or mail a deposit as provided in Subsection a. within fifteen (15) days of the date of the citation, the Chief of Police shall forward a copy of the citation to the City Attorney.
  - c. Registration Suspension. If the alleged violator does not pay the forfeiture or appear in court in response to the citation for a non-moving traffic violation on the date specified in the citation for a non-moving traffic violation on the date specified in the citation, or, if no date is specified on the citation, within twenty-eight (28) days after the citation is issued, the City may ask the Wisconsin Department of Transportation to suspend the registration of the vehicle involved or refuse registration of any vehicle owned by the person pursuant to the provisions of Sec. 345.28(4), Wis. Stats., which is hereby adopted by reference.
  - d. Deposits Returned to Clerk-Treasurer. Officers receiving deposits for non-moving traffic violations under this Subsection shall pay over such deposits to the City Clerk-Treasurer within seven (7) days of receipt. Such payment shall be accompanied by an itemized statement for each deposit of the offense charged and the name of the depositor.
  - e. Bond. Any officer accepting deposits or forfeited penalties under the ordinance shall deliver them to the Clerk of Circuit Court within twenty (20) days after receipt. Any officer authorized to accept deposits under Sec. 345.26, Wis. Stats., or this Section shall qualify by taking the oath prescribed by Sec. 19.01, Wis. Stats.

SEC. 8-1-29 PERMIT PARKING.

- (a) This section shall have priority over any section conflicting with this section.
- (b) All City parking lots shall be open to permit parking, except the patron parking lot on the North side of the Neillsville Public Library. There shall be no permit parking allowed on any City streets. Any person obtaining a parking permit can park in any of the available permit parking spots.
- (c) Parking permits shall be available for purchase through the Neillsville Police Department on a “first come, first serve” basis to a City of Neillsville resident or a business district property owner, manager or employee of a business actively in operation. Each business owner of an actively operating business shall be allowed one free parking permit.
- (d) Parking permits shall be issued to a specific person who shall only use the permit for a vehicle in which they are the registered owner.

## Motor Vehicles and Traffic

- (e) Parking permits shall be issued on either a quarterly or annual basis with no proration for a quarterly permit.
- (f) The cost of the permits and the number of permits shall be set, and may periodically be changed by the Common Council and shall not be pro-rated during the quarter.
- (g) All vehicles utilizing parking permits must be moved every 72 hours and must contain current license and registration.
- (h) A parking permit holder shall not be allowed to reassign their permit to any other individual.
- (i) The parking permit shall be displayed by hanging the same on the rear view mirror while parked. Failure to so display said parking permit shall result in a parking citation being issued. It shall not be a defense to any parking citation that the vehicle owner had a parking permit but it was not properly displayed.
- (j) A parking permit shall not give permission to park in a lot if an order of the Chief of Police or Common Council shall prohibit parking in said lot for a period of time.
- (k) Violation of any of these provisions can cause the owner of the permit to be cited under the general penalties provision and the vehicle will be subject to being towed at the owner's expense.

Recreated: Ord. 1063, 10/27/20



## CHAPTER 2

### Bicycles

- § 8-2-1 Inspection and Registration of Bicycles
- § 8-2-2 Manner of Operation Restricted
- § 8-2-3 Lighting Equipment
- § 8-2-4 Warning Signal Required
- § 8-2-5 Parking a Bicycle
- § 8-2-6 Riding Abreast Prohibited
- § 8-2-7 Rules of the Road
- § 8-2-8 Operation on Sidewalks Prohibited

#### SEC. 8-2-1 INSPECTION AND REGISTRATION OF BICYCLES.

- (a) **REGISTRATION REQUIRED.** No person shall operate a bicycle upon any street or public highway within the City of Neillsville unless said bicycle shall first have been properly registered and tagged as hereinafter provided.
- (b) **FORM OF REGISTRATION.** Every owner or operator of a bicycle within the City shall, prior to operation, file with the Police Department a complete description of such bicycle upon a blank form to be provided for the purpose, which such filing of description shall constitute a registration of such bicycle for the purpose of this section. Such registration shall be serially numbered and kept on file by the Chief of Police in his office as a public record.
- (c) **IDENTIFICATION TAG.** Immediately upon the registration of the bicycle in his office, the Chief of Police shall affix to such bicycle a license tag, serially numbered to correspond with the registration of each bicycle. Each tag shall thereafter remain affixed to such bicycle unless removed by the Police Department for cause or for replacement with another tag upon re-registration. An inspection fee of One (\$ 1.00) Dollar per registration shall be made for the inspection and tagging of any bicycle under the provisions of this Section. All bicycles shall be registered annually. Bicycle registrations and tags shall expire annually on June 30th. All newly acquired bicycles shall be registered within thirty (30) days of the date of the date of purchase or acquisition or shall be subject to a One (\$ 1.00) Dollar penalty in addition to the normal registration fee.
- (d) **RE-REGISTRATION.**
  - (1) Bicycles under the provision hereof shall be annually re-registered within twenty (20) days following the June 30th expiration license expiration. Other owners of bicycles shall register the same before operating on public streets and shall renew annually as provided above.
  - (2) The Police Department shall cause to be affixed a new identification tag upon each bicycle at the time of such re-registration thereof.
- (e) **INSPECTION.** The Police Department shall cause to be inspected each bicycle presented for the registration and they shall have the authority to refuse to register and such bicycle found by them to be in unsafe mechanical condition or not equipped as herein required.
- (f) **CANCELLATION OF REGISTRATION.** The Chief of Police may cancel the registration of and remove the identification tag from any bicycle being operated upon any streets in the Village in an unsafe manner or in violation of any state law or local ordinance, and such cancellation of registration and removal of tag shall be in addition to other penalties provided hereunder.

- (g) **CHANGE OF OWNERSHIP.** Within ten (10) days after any bicycle registered hereunder shall have changed ownership or been dismantled and taken out of operation such information shall be reported to the Police Department by the person in whose name the bicycle has been registered.

SEC. 8-2-2 MANNER OF OPERATION RESTRICTED.

No bicycle shall be allowed to proceed in any street in the City by inertia or momentum with the feet of the rider removed from the bicycle pedals. No rider of a bicycle shall remove both hands from the handlebars or practice any trick or fancy riding in any street in the City nor shall any bicycle rider carry or ride any other person so that two persons are on the bicycle at one time, unless a seat is provided for a second person.

SEC. 8-2-3 LIGHTING EQUIPMENT.

No person shall operate a bicycle upon a highway during the hours of darkness unless equipped as required in sec. 346.81, Wis. Stats.

SEC. 8-2-4 WARNING SIGNAL REQUIRED.

No bicycle shall be operated on the streets of the City unless equipped with either a warning bell or horn.

SEC. 8-2-5 PARKING A BICYCLE.

No person shall leave a bicycle at such a place or in such a way as to create a hazard to pedestrians, automobile operators or to anyone else.

SEC. 8-2-6 RIDING ABREAST PROHIBITED.

Persons riding or using bicycles or other similar vehicles along or upon any public street, avenue, lane, alley, or other public road, ground or way within the City shall not ride more than two abreast excepting in a general parade or public demonstration.

SEC. 8-2-7 RULES OF THE ROAD.

The provisions of Ch. 346, Wis. Stats., shall be applicable to the operation of bicycles where appropriate.

SEC. 8-2-8 OPERATION ON SIDEWALKS PROHIBITED.

Operators of bicycles shall not drive upon any sidewalk area, except where such operation is permitted. Where permitted, every person operating a bicycle upon a sidewalk shall yield the right-of-way to any pedestrian and shall exercise due care and give an audible signal when passing a bicycle rider or pedestrian proceeding in the same direction.

## CHAPTER 3

### All-Terrain (ATV's), Utility Terrain Vehicles (UTV's) and Snowmobiles

- § 8-3-1 State Snowmobile, All-Terrain and Utility Terrain Vehicle Laws Adopted
- § 8-3-2 Applicability of Traffic Regulations to Snowmobiles
- § 8-3-3 Speed
- § 8-3-4 Hours of Operation
- § 8-3-5 Unattended Vehicles
- § 8-3-6 Operation on Sidewalks Prohibited
- § 8-3-7 Operation on Private Premises Prohibited
- § 8-3-8 Restrictions on Operators
- § 8-3-9 Accidents and Accident Reports
- § 8-3-10 Snowmobile, All-Terrain Vehicle and Utility Terrain Vehicle Routes and Trails  
Designated
- § 8-3-11 Prohibited Areas of Operation
- § 8-3-12 Snowmobile Renters Licensed
- § 8-3-13 Penalty
- § 8-3-14 Enforcement

#### SEC. 8-3-1 STATE SNOWMOBILE, ALL-TERRAIN AND UTILITY TERRAIN VEHICLE LAWS ADOPTED.

(a) Excepted as otherwise specifically provided in this Chapter, the statutory provisions describing and defining regulations with respect to snowmobiles, all-terrain and utility terrain vehicles in the following enumerated sections of the Wisconsin Statutes are hereby adopted and by reference made a part of this Chapter as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required or prohibited by this Chapter. Any future amendments, revisions or modifications of the Statutes incorporated herein by reference are intended to be made part of this Code.

23.33 All-terrain vehicles and utility terrain vehicles.  
350 Snowmobiles.

(b) Through-out this chapter any reference to all-terrain vehicles shall also be applicable to utility terrain vehicles.

§ 8-3-1 – Amended: Ord. 966, 10/12/99

§ 8-3-1 – Amended: Ord. 1057, 9/24/19

#### SEC. 8-3-2 APPLICABILITY OF TRAFFIC REGULATIONS TO SNOWMOBILES.

No person shall operate a snowmobile upon any street, highway or alley within the City of Neillsville in violation of the traffic regulation provisions of Sections 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.

#### SEC. 8-3-3 SPEED.

No person shall operate a snowmobile or all-terrain vehicle upon any public highway within the City of Neillsville at a speed in excess of posted speed limits during any time of the day. No

## All-Terrain (ATV's), Utility Terrain Vehicles (UTV's) and Snowmobiles

person shall operate a snowmobile on any trail designated in Section 8-3-10 of this Chapter or in any public park or recreation area at a speed in excess of the posted limit.

Amended: Ord. 987, 07/24/01

Amended: Ord. 1057, 9/24/19

### SEC. 8-3-4 HOURS OF OPERATION.

No person shall operate a snowmobile or all-terrain vehicle within the City of Neillsville between the hours of 10:30 p.m. and 7:00 a.m., except upon a public highway as authorized by the Wisconsin Statutes and this Chapter or for the purpose of gaining access to or leaving such highway or upon a designated trail.

### SEC. 8-3-5 UNATTENDED VEHICLES.

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

### SEC. 8-3-6 OPERATION ON SIDEWALKS PROHIBITED.

No person shall operate a snowmobile or all-terrain vehicle upon any sidewalk, pedestrian way or upon the area between the sidewalk and the curb line of any street in the City of Neillsville, except as specifically authorized by Sec. 8-3-10 or for the purpose of crossing to obtain immediate access to an authorized area of operation.

### SEC. 8-3-7 OPERATION ON PRIVATE PREMISES RESTRICTED.

No person shall operate a snowmobile on any private property not owned or controlled by him within the City of Neillsville without the express consent or permission of the owner.

### SEC. 8-3-8 RESTRICTIONS ON OPERATORS.

No person under the age of 12 years may operate a snowmobile unless the person is accompanied either by a parent or guardian or by a person over 18 years of age. No person who is between the ages of 12 years of age and 16 years of age, and who is born on or after January 1, 1985, may operate a snowmobile unless he or she holds a valid snowmobile safety certificate. Any person who is required to hold a snowmobile safety certificate while operating a snowmobile shall carry the certificate on the snowmobile and display the certificate to a law enforcement officer on request. No snowmobile or all-terrain vehicle owner shall authorize any person under the age of sixteen (16) years to operate such snowmobile or all-terrain vehicle upon any street, alley or other public right-of-way in the City of Neillsville, unless such person holds a valid snowmobile safety certificate.

Recreated: Ord. 987, 07/24/01

SEC. 8-3-9 ACCIDENTS AND ACCIDENT REPORTS.

- (a) If he can do so without serious danger to his own snowmobile or all-terrain vehicle or to persons on board, the operator of a snowmobile or all-terrain vehicle involved in an accident within the City of Neillsville shall stop his snowmobile and shall render to other persons affected thereby such assistance as may be practicable and necessary to save them from or minimize any danger caused by the accident and shall give his name and address and identification of his snowmobile or all-terrain vehicle to any person injured and to the owner of any property damaged in the accident.
- (b) If the accident results in death or injury to any person or total property damage in excess of Two Hundred (\$ 200) Dollars, every operator of a snowmobile or all-terrain vehicle involved in such accident shall, as soon as possible, notify the City Police Department of the accident and shall, within ten (10) days after the accident, file a written report thereof with the department on forms prescribed by it.
- (c) If the operator of a snowmobile or all-terrain vehicle is physically incapable of making the report required by this Section and there was another occupant in the snowmobile at the time of the accident capable of making the report, he shall make such report.
- (d) "Snowmobile Accident" means a collision, accident or other casualty involving a snowmobile or all-terrain vehicle.

SEC. 8-3-10 SNOWMOBILE, ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES ROUTES AND TRAILS DESIGNATED.

- (a) ROUTES DESIGNATED. The following roads in the City of Neillsville, Clark County, Wisconsin, shall be designated as a snowmobile route:
  - (1) Willow Street from the south edge of Division Street north to Elm Street
  - (2) Prospect Street from West 17th Street to West 18th street
  - (3) 21st Street
  - (4) Grand Avenue from West 1st Street to north city limits
  - (5) 1st Street from Grand Avenue to Center Street
  - (6) Elm Street
  - (7) The west 125 yards of Cemetery Road
  - (8) 18th Street from Grand Avenue to Prospect Street
  - (9) East 15th Street
  - (10) West 17th Street
  - (11) West 6th Street from Grand Avenue to the entrance of the upper level of the Municipal Parking Lot
  - (12) Upper and Lower levels of the Municipal Parking Lots
  - (13) S. Boon Boulevard, starting 170 feet south of E. Division Street and extending 400 feet south
  - (14) Court Street from 1<sup>st</sup> Street to Division Street
  - (15) West 8<sup>th</sup> Street from Grand Avenue to Hewett Street
  - (16) West 1<sup>st</sup> Street from Grand Avenue to Clay Street
  - (17) Clay Street from West 1<sup>st</sup> Street to a point 154 feet North of Division Street
  - (18) West Street from 8<sup>th</sup> Street to the Brickyard Bar parking lot
  - (19) 8<sup>th</sup> Street from Grand Avenue to the Black River
- (am) ALL-TERRAIN AND UTILITY TERRAIN VEHICLE ROUTES DESIGNATED.
  - (1) The following roads in the City of Neillsville, Clark County, Wisconsin, shall be designated as an all-terrain and utility terrain vehicle routes:
    - a. All roadways within the City of Neillsville that have been properly posted and which are maintained by the City personnel except:
      - 1. Highway 73 (including Hewett Street, Black River Road and Grand Avenue in the locations they travel on Highway 73) to the City limits.
      - 2. Highway 10 (Division Street in the location it travels on Highway 10) to the City limits.
- (b) ACCESS TO ROUTES AND TRAILS. Persons are allowed to travel from a residence and/or lodging establishment within the limits of the City of Neillsville, Clark County, Wisconsin for the shortest distance that is necessary for a person to operate a snowmobile to a snowmobile route or trail that is closest to that residence or lodging establishment.
  - (1) Designated roadways and/or highways for access:
    - a. All roadways or shoulders

- (2) Conditions:
  - a. Subject to this ordinance.
- (c) TRAIL MARKERS. The Chief of Police is directed and authorized to procure, erect and maintain appropriate snowmobile or all-terrain vehicle route, trail and limit signs and markers as approved by the State Department of Natural Resources under Section 350.13, Wis. Stats. The Chief of Police shall have the power to declare the stated routes and trails either open or closed.
- (d) MARKERS TO BE OBEYED. No person shall fail to obey any route or trail sign, marker or limit erected in accordance with this section.

- § 8-3-10-(a) - Recreated: Ord. 931, 10/10/95
- § 8-3-10-(b) - Created: Ord. 933, 2/13/96
- § 8-3-10-(a) - Amended: Ord. 947, 6/10/97
- § 8-3-10-(a) - Amended: Ord. 972, 8/22/00
- § 8-3-10-(a) - Amended: Ord. 974, 9/26/00
- § 8-3-10-(a) - Amended: Ord. 1001, 5/25/04
- § 8-3-10-(a) - Amended: Ord. 1006, 4/12/05
- § 8-3-10-(a) - Amended: Ord. 1015, 9/11/07
- § 8-3-10-(a) - Amended: Ord. 1026, 2/10/09
- § 8-3-10-(a) - Amended: Ord. 1037, 8/7/12
- § 8-3-10-(a) - Amended: Ord. 1049, 5/12/15
- § 8-3-10-(a) – Repealed for All-terrain vehicles: Ord. 1056, 6/11/19
- § 8-3-10(am) – Created: Ord. 1056, 6/11/19

**SEC. 8-3-11 PROHIBITED AREAS OF OPERATION.**

No person or persons shall operate vehicles commonly known as snowmobiles or all-terrain vehicles upon the following described areas of the City of Neillsville:

- (a) That area known as O'Neill Pond located on O'Neill Creek in the City of Neillsville, from the Hewett Street Bridge east on said creek four hundred (400) feet.
- (b) That area of Schuster Park laying between 1st Street and 2nd Street of the City of Neillsville.
- (c) That area known as Listeman Arboretum consisting of all of government Lot 5, Section 15 and part of government Lot 1, Section 22, Township Twenty-four (24) North, Range Two (2) West, except, where the Parks and Recreation Board has established a snowmobile trail, said trail shall be no wider than twelve (12) feet and shall be appropriately marked by appropriate signs indicating the area of permissible operation of snowmobiles.
- (d) That area known as the Marguerite Listeman Park, formerly the North Side Park. Lots One (1) through Four (4), and Lots Nineteen (19) through Forty-six (46) all in Block Four (4); all of Block Three (3); Lots Thirteen (13) through Twenty-two (22), Block Two (2), Lynch's Addition to the City of Neillsville.
- (e) That area known as Tock Field.
- (f) A parcel of land described as follows: Assessment Lot 492 located in the City of Neillsville, Clark County, Wisconsin, except the following described parcels of land:

Commencing at a point at the Northwest corner of 486, thence West 100 feet, said line being an extension of the line dividing Assessment Lots 485 and 486, thence South to the Northwest corner of Assessment Lot 491, thence East 100 feet along the North boundary of Assessment Lot 491, thence North to the point of beginning.

Commencing at a point 295.5 feet West of the Southwest corner of Block 3 of Bacon's Subdivision of Lots 44, 45, 46, 47, 48 and 93 of Hewett's Addition to City of Neillsville, thence running West 235.5 feet, thence North 285 feet, thence East 206 feet more or less to the West line of Foster property, thence South 130 feet, thence East 29-1/2 feet, thence South 155 feet, more or less to place of beginning, being part of Outlot 7 of Bacon's Subdivision of Lots 44, 45, 46, 47, 48 and 93 of Hewett's Addition of Outlots and Assessment Lot 490 and part of Assessment Lots 488, 489 and 492 of Assessor's Plat of City of Neillsville.

Commencing at a point 531 feet West and 285 feet North of the Southwest corner of Block 3 of Bacon's Subdivision of Lots 45, 46, 47, 48 and 93 of Hewett's Addition to Outlots of Neillsville, thence East 206 feet, thence North 40 feet, thence West 206 feet, thence South 40 feet to the place of beginning, also known as part of Assessment Lot 492.

SEC. 8-3-12 SNOWMOBILE RENTERS LICENSED.

- (a) No person shall engage in the business of renting or leasing of snowmobiles to the public or of renting or leasing use of a snowmobile track or other private property to the public for the operation of snowmobiles thereon in the City of Neillsville unless he has first obtained a license therefor as provided in this Section.
- (b) Application for snowmobile renters' licenses shall be filed with the Chief of Police and shall include the name of the owner of the premises on which such business will be conducted, the proposed period and hours of operation, the name of the person, firm or corporation which will conduct such business, the state registration number of such commercial owner, if any, and the registration numbers of any snowmobiles to be leased by such business and such other information as the Common Council shall require to consider such application. The application shall be accompanied by a fee of Fifteen (\$ 15.00) Dollars to cover the cost of investigation and issuance of the license.
- (c) No license shall be issued unless approved by the governing body after public hearing. Notice of such hearing shall be given as a Class 1 notice under Ch. 985, Wis. Stats. The Common Council shall approve issuance of the license only if it determines that the public health, safety and welfare will not be adversely affected thereby and that the following requirements are met:
  - (1) The applicant must have on file with the City Clerk-Treasurer proof of liability insurance in force covering the premises to be licensed and the operation of any snowmobile thereon or to be rented or offered for use to the public by the business with limits of \$ 50,000/300,000/ 10,000.
  - (2) If snowmobiles are to be used on the licensed premises, such use must be restricted to areas located at least three hundred (300) feet from any dwellings not owned or occupied by the applicant.
  - (3) Snowmobiles shall be operated on the premises only between the hours of 8:00 a.m. and 10:00 p.m.
  - (4) The licensing period shall be for one (1) year from September 1 to August 31.
  - (5) The Clerk-Treasurer shall issue a renewal license to any person, firm or corporation holding a valid license under this Section upon payment of the annual license fee, provided, however, that any such applicant who has been convicted within the preceding twelve (12) months of a violation of this Section or any State Statute regulating or restricting the use of snowmobiles or snowmobile renters shall not be

entitled to a license renewal until approved by the Common Council after public hearing as required under Subsection (c) of this Section.

SEC. 8-3-13 PENALTY.

Any person who shall violate any provision of this Chapter shall upon conviction thereof forfeit not more than Six Hundred (\$ 600.00) Dollars together with the costs of prosecution and in default of payment thereof may be imprisoned in the county jail for a period not exceeding ninety (90) days; provided no person shall forfeit an amount in excess of the maximum fine or forfeiture allowed in the Wisconsin Statutes for the same offense and further provided that the penalty and forfeiture for parking violations on highways shall be the amount applicable to such violations by owners or operators of motor vehicles under Title 8, Chapter 1 of the City of Neillsville Code of Ordinances.

SEC. 8-3-14 ENFORCEMENT.

- (a) **UNIFORM CITATION FOR HIGHWAY VIOLATIONS.** The uniform traffic citation promulgated under Sec. 345.11, Wis. Stats., shall be used for violations of this Chapter relating to highway use except as herein provided.
- (b) **PARKING VIOLATIONS.** The special traffic citation described and defined in Title 8, Chapter 1 of the City of Neillsville Code of Ordinances shall be used for enforcement of violations of rules of the road relating to parking of vehicles adopted by reference in Section 8-3-1 of this Chapter.
- (c) **OTHER VIOLATIONS.** All violations of this Chapter not described in Subsections (a) or (b) shall be enforced in accordance with Sections 66.12 and 66.114 of the Wisconsin Statutes. Stipulations of guilt or no contest may be made as provided in Sec. 66.12(1)(b), Wis. Stats., in substantially the form provided in the uniform traffic citation within five (5) days of the date of the citation for such violation. Bail deposits may also be made under Sec. 66.12, Wis. Stats. Such deposits shall include a Two (\$ 2.00) Dollar Clerk's fee and costs of prosecution.
- (d) **POLICE DEPARTMENT TO RECEIVE STIPULATIONS AND PENALTIES.** Stipulations, forfeited penalties and deposits for obtaining release from arrest authorized under this Chapter may be accepted at the City Police Department offices by the Chief or officer designated by him. The officer authorized to accept penalties and deposits shall be bonded and such bond shall be filed with the City Clerk-Treasurer.
- (e) **FORFEITED PENALTIES AND DEPOSITS.** Except as otherwise provided in Sec. 345.26, Wis. Stats., and the deposit schedule adopted by the State Board of County Judges thereunder, required forfeited penalties and deposits or bail not including costs or fees for violation of this Chapter shall be as follows:



## Abandoned and Junked Vehicles

<u>Offense</u>	<u>Deposit</u>
Section 8-3-1 and 8-3-2 violations, except	\$ 20.00
350.07 (driving animals)	\$ 200.00
350.08 (permitting operation by incompetent)	\$ 100.00
350.10(3) (operating snowmobile under influence)	\$ 100.00
Section 8-3-3, 8-3-4, 8-3-6, 8-3-7, 8-3-8, 8-3-9, and 8-3-10 violations	\$ 20.00
Section 8-3-5 (unattended vehicles)	\$ 10.00
Section 8-3-11 violations, each day	\$ 100.00

## CHAPTER 4

### Abandoned and Junked Vehicles

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

#### SEC. 8-4-1 VIOLATIONS.

No person shall leave unattended any motor vehicle, trailer, semitrailer or mobile home on any public street or highway or private or public property in the City of Neillsville, for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. Whenever any such vehicle has been left unattended on any street or highway in the City of Neillsville or upon private or public property without the permission of the property owner or other person charged with the lawful jurisdiction thereof for more than seventy-two (72) hours, the vehicle shall be deemed abandoned and constitutes a public nuisance.

#### SEC. 8-4-2 REMOVAL AND IMPOUNDMENT OF VEHICLES.

Any vehicle in violation of this Chapter shall be removed and impounded until lawfully claimed or disposed of under the provisions of Section 8-4-3.

#### SEC. 8-4-3 REMOVAL, STORAGE, NOTICE, OR RECLAIMER OF ABANDONED VEHICLES.

The provisions of this Section shall apply to the removal, storage, notice, reclaimer or disposal of abandoned vehicles.

- (a) REMOVAL.
  - (1) Any police officer who discovers any motor vehicles, trailer, semitrailer or mobile home on any public street or highway or private or public property in the City of Neillsville which has been abandoned shall cause the vehicle to be removed to a suitable place of impoundment.
  - (2) Upon removal of the vehicle the police officer shall notify the Police Chief or his designee of the abandonment and of the location of the impounded vehicle.
- (b) STORAGE AND RECLAIMER. Any abandoned vehicle which is determined by the Police Chief or his designee to be abandoned shall be retained in storage for a period of fourteen (14) days after certified mail notice, as hereinafter provided, has been sent to the Wisconsin titled owner and/or secured party of record with the Wisconsin Motor Vehicle Division, except that if the Police Chief or his designee determines an abandoned vehicle to have a value of less than One Hundred (\$ 100) Dollars, or that the cost of towing and storage charges for impoundment will exceed the value of the

vehicle, it may be junked or sold by direct sale to a licensed salvage dealer after having been retained in storage for a period of seven (7) days and after certified mail notice, as hereinafter priced, has been sent to the Wisconsin titled owner or secured party of record with the Wisconsin Motor Vehicle Division, provided that it is first determined that the vehicle is not reported stolen or wanted for evidence or other reason. Any such vehicle which may be lawfully reclaimed may be released upon the payment of all accrued charges, including towing, storage and notice charges and upon presentation of the vehicle title or other satisfactory evidence to the Police Chief or his designee to prove an ownership or secured party interest in said vehicle.

- (c) NOTICE TO OWNER OR SECURED PARTY. Certified mail notice, as referred to herein, shall notify the Wisconsin titled owner of the abandoned vehicle, if any, and/or the secured party of record with the Wisconsin Motor Vehicle Division, if any, that the vehicle has been deemed abandoned and impounded by the City of Neillsville; the "determined value" of the abandoned vehicle or if the cost of towing and storage charges will exceed the determined value of the vehicle; that if the vehicle is not wanted for evidence or other reason, the vehicle may be reclaimed upon the payment of all accrued charges, including towing, storage and notice charges, within fourteen (14) days of the date of notice, unless the vehicle has been determined to have a value less than One Hundred (\$ 100) Dollars or that the cost of towing and storage charges for impoundment will exceed the value of the vehicle, in which case the vehicle may be reclaimed within seven (7) days upon payment of the aforesaid charges; and that the owner or aforesaid secured party may, upon request, be granted a hearing relating to the determinations made with respect to said vehicle within the period that such vehicles may be reclaimed.

#### SEC. 8-4-4 DISPOSAL OF ABANDONED VEHICLES.

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

#### SEC. 8-4-5 REPORT OF SALE OR DISPOSAL.

Within five (5) days after the direct sale or disposal of a vehicle as provided for herein, the Chief of Police or designee shall advise the State of Wisconsin Department of Transportation, Division of Motor Vehicles, of such sale or disposal on a form supplied by said Division. A copy of the form shall be given to the purchaser of the vehicle.

#### SEC. 8-4-6 OWNER RESPONSIBLE FOR IMPOUNDMENT AND DISPOSAL COSTS.

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

SEC. 8-4-7 CONFLICT WITH OTHER CODE PROVISIONS.

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

SEC. 8-4-8 JUNKED VEHICLES AND APPLIANCES ON PRIVATE PROPERTY.

(a) STORAGE OF AUTOMOBILES RESTRICTED.

- (1) No disassembled, inoperable, unlicensed, junked or wrecked motor vehicles, truck bodies, tractors, trailers or appliances shall be stored or allowed to remain in the open upon private property within the City for a period exceeding twenty (20) days unless it is in connection with a properly licensed automotive or appliance sales, repair or storage business enterprise located in a properly zoned area.
- (2) Any business engaged in automotive sales or repair may retain such vehicles in the open, on private property, for a period not to exceed three (3) months, after which such vehicles must be enclosed by a screening or live planting to be approved by the Plan Commission.

(b) DEFINITIONS.

- (1) The term "disassembled, inoperable, junked or wrecked motor vehicles, truck bodies, tractors, trailers" as used in this section is defined as follows: motor vehicles, truck bodies, tractors, or trailers in such state of physical or mechanical ruin as to be incapable of propulsion or being operated upon the public streets or highways.
- (2) The term "unlicensed - motor vehicles, truck bodies, tractors or trailers" as used in this Chapter is defined as follows: motor vehicles, truck bodies, tractors or trailers which do not bear lawful current license plates.
- (3) The term "motor vehicle" is defined in Section 340.01(35), Wis. Stats.
- (4) The term "inoperable appliance" is defined as any stove, washer or refrigerator which is no longer operable in the sense for which it was manufactured.

(c) EXCEPTIONS. This Section shall not apply to any motor vehicle or motor vehicle accessories stored within an enclosed building or on the premises of a business enterprise operated in a lawful place and manner when necessary to the operation of such business enterprise, in a storage place or depository maintained in a lawful place and manner, or seasonal use vehicles such as snowmobiles, motorcycles, motor scooters and nonmotorized campers, provided such vehicles are stored in rear yard areas. Such business enterprises shall include auto junk yards, auto repair and body shops but shall not include automobile service stations or tire, battery and accessory sales stores, except those service stations which operate a duly licensed wrecker service. Also excepted are motor vehicles registered pursuant to Sections 341.265 and 341.266, Wis. Stats. In other situations the Chief of Police may issue permits permitting an extension of not to exceed an additional thirty (30) days time to comply with this section where exceptional facts and circumstances warrant such extension.

(d) ENFORCEMENT.

- (1) Whenever the Police Department shall find any vehicles or appliances, as described herein, placed or stored in the open upon private property within the City, they shall notify the owner of said property on which said vehicle or appliance is stored of the violation of this Section. If said vehicle or appliance is not removed within five (5) days, the Police Department shall cause to be issued a citation to the property owner or tenant of the property upon which said vehicle or appliance is stored.

- (2) If such vehicle or appliance is not removed within twenty (20) days after issuance of a citation, the Chief of Police shall cause the vehicle or appliance to be removed and impounded and it shall thereafter be disposed of as prescribed in Sections 8-4-3 through 8-4-6 by the Chief of Police or his duly authorized representative. Any cost incurred in the removal and sale of said vehicle or appliance shall be recovered from the owner. However, if the owner of the vehicle or appliance cannot readily be found, the cost of such removal shall be charged to the property from which it is removed, which charges shall be entered as a special charge on the tax roll.
- (e) PENALTY. Any person who shall interfere with the enforcement of any of the provisions of this Section and shall be found guilty thereof shall be subject to a penalty as provided in Section 1-1-7. Each motor vehicle or appliance involved shall constitute a separate offense.

State Law Reference: Section 342.40, Wis. Stats.

## CHAPTER 5

### Neillsville Municipal Airport

§ 8-5-1	Definition of Words and Phrases
§ 8-5-2	Operation of Vehicles on Runways, Taxiways and Ramps
§ 8-5-3	Speed of Vehicles at Airport
§ 8-5-4	Pedestrian Traffic at Airport
§ 8-5-5	Enforcement

#### SEC. 8-5-1 DEFINITION OF WORDS AND PHRASES.

- (a) PEDESTRIAN: Any person afoot.
- (b) VEHICLE: Every device in, upon, or by which any person or property is or may be transported or drawn excepting aircraft.
- (c) EMERGENCY EQUIPMENT: Emergency equipment shall mean crash, fire, and rescue, or police motor vehicles, and such other equipment as the Airport Commission may designate as necessary to safeguard airport runways, taxiways, ramps, buildings and other property.
- (d) SERVICE, MAINTENANCE AND CONSTRUCTION EQUIPMENT: Approved equipment normally operated by a fixed base operator, and/or the Federal Aviation Administration on landing areas, runways, taxiways and peripheral roads for the servicing, maintenance and construction of airport facilities and services or for the servicing of aircraft. This definition shall include equipment owned and operated by a contractor performing work on the airport under a contractual agreement with the City of Neillsville.

#### SEC. 8-5-2 OPERATION OF VEHICLES ON RUNWAYS, TAXIWAYS AND RAMPS.

- (a) No vehicle shall enter, be driven upon, or operated upon any airport runway, taxiway, ramp, tie-down area, or any area posted by signs prohibiting the entrance thereon.
- (b) The provisions of this Section shall not apply to Emergency Equipment and/or Service, Maintenance, and Construction Equipment when engaged in performing normal duties.
- (c) Aircraft owners may be granted authorization by the airport manager or his designated representative to operate a vehicle to reach their own aircraft in a tie-down area. Aircraft owners desiring to operate a vehicle for this purpose will request such authorization in advance. Any authorization granted shall apply only to a specific need request. Blanket-type authorizations shall not be granted. Unless specifically authorized, aircraft owners shall not pass over any runway, taxiway, or ramp and shall proceed through said tie-down area at a speed not to exceed ten (10) miles per hour. They shall not at any time park a vehicle on any area used for the movement of aircraft. Such authorization shall not be granted contrary to the provisions of Part 139, Federal Aviation Regulations.

#### SEC. 8-5-3 SPEED OF VEHICLES AT AIRPORT.

No vehicle shall be driven upon any road within the perimeter of the airport, or upon other airport areas, in excess of the speed limit posted at the entrance to said airport, or

within the boundaries thereof if more than one speed limit shall be applicable, nor shall the driver of any vehicle fail to adhere to any sign posted to regulate vehicular traffic on or about the Neillsville Municipal Airport.

SEC. 8-5-4 PEDESTRIAN TRAFFIC AT AIRPORT.

No pedestrian shall be allowed beyond the administration area or upon the apron or aircraft tie-down unless for the purpose of embarking in or disembarking from an aircraft, or unless authorized by the airport manager. Pedestrian traffic is prohibited on taxiways, runways, and outlying areas of the airport except for those employees of the City, County, State, Federal Government, or contractors engaged in airport construction or maintenance work.

SEC. 8-5-5 ENFORCEMENT.

It shall be the duty of the Airport Manager and the Police Department of the City of Neillsville to enforce the provisions of this Chapter.