



CHAPTER 7: TRAFFIC CODE

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CHAPTER 7: TRAFFIC CODE

7.1 TRAFFIC.

(1) **PROVISIONS OF STATE LAW ADOPTED BY REFERENCE.**

(a) State Traffic Laws Adopted. Except as otherwise specifically provided in this Chapter, all provisions of Chapters 340 to 349 Wisconsin Statutes and all subsequent amendments thereto describing and defining regulations with respect to vehicles and traffic for which the penalty is a forfeiture only, including penalties to be imposed and procedure for prosecution, are hereby adopted and by reference made a part of this Chapter as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is likewise required or prohibited by this Chapter.

(b) Statutes Adopted. Sections of Chapters 340 to 349 Wisconsin Statutes adopted by reference shall include but not be limited to the statutes adopted by reference listed in Appendix I to the Code.

(2) **SPEED LIMITS.** To the extent the speed limits established below are inconsistent with those incorporated in subsection (1), above, the Village Board hereby determines that the statutory speed limit on the following streets or portions thereof are unreasonable, unsafe or imprudent and modifies such speed limits under authority granted by Section 349.11 Wisconsin Statutes, accordingly:

(a) The maximum permissible speed on Muscovy Road, Beaver Lake Road and on that portion of former State Highway 83 between the Hill Road and the entrance to Pine Meadows subdivision, shall be twenty (20) miles per hour.

(b) The maximum permissible speed on those portions of County Roads "C" and "K", Hill Road and Vettelson Road, shall be thirty-five (35) miles per hour.

(c) The maximum permissible speed on State Highway 83 shall be as follows: (i) thirty-five (35) miles per hour from a point five hundred (500) feet north of the north intersection of State Highway 83 and County Road "K" northerly to the north limits of the Village; and (ii) thirty-five (35) miles per hour from said point southerly to the south limits of the Village.

(3) **THROUGH HIGHWAY DESIGNATED.** In the interest of public safety and pursuant to Section 349.07 Wisconsin Statutes, that part of the State Highway 83 which passes through the Village is hereby declared to be a through highway.

(4) **CLASS "B" HIGHWAY DESIGNATION.** Muscovy Road is hereby designated a Class "B" highway and shall be subject to the weight limitations imposed by Section 348.16 Wisconsin Statutes.





(5) **PENALTY.** The penalty for violation of any provision of this Section shall be a forfeiture as hereinafter provided together with the cost of prosecution imposed as provided in Sections 345.20 to 345.53 Wisconsin Statutes.

(a) **Uniform Offenses.** Forfeiture for violation of any provisions of Chapters 340 to 348 Wisconsin Statutes, adopted by reference in subsection (1) above shall conform to forfeitures for violation of the comparable state offense, including any variations or increases for second offenses.

(b) **Special Local Regulations.**

(i) The forfeiture for violation of Sections 7.1(2) and (3) shall be not less than Twenty-Five Dollars (\$25) nor more than Four Hundred Dollars (\$400) for the first offense and not less than Fifty Dollars (\$50) nor more than Eight Hundred Dollars (\$800) for the second and each subsequent offense within one (1) year following such prior offense.

(ii) The forfeiture for violation of Section 7.1(4) shall be the same as for violations of Section 348.16 Wisconsin Statutes, as set forth in Section 348.21 Wisconsin Statutes.

(c) **Miscellaneous.** The forfeiture for violation of any provision of this Chapter shall be not less than Twenty-Five Dollars (\$25) nor more than Eight Hundred Dollars (\$800).

(6) **SPECIAL AND SEASONAL WEIGHT LIMITATIONS.**

(a) The Village Administrator 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 Village or for the safety of users of such highway, bridge or culvert and shall be responsible for erecting signs giving notice thereof in accordance with Section 349.16 Wisconsin Statutes.

(b) That part of Beaver Lake Road between County Road “E” westerly to State Highway 83, shall have a special weight limitation of ten thousand (10,000) pounds. Vehicles performing the following services shall be exempt from this subsection: pumping septic or holding tanks, moving or delivering supplies or commodities to or from any place of business or residence which has an entrance on Beaver Lake Road or vehicles owned by a state, county or municipality being used for the removal, treatment or sanding of snow or ice or when such vehicles are authorized emergency vehicles.

(7) **ENFORCEMENT.** This Section shall be enforced in accordance with the provisions of Sections 345.20 to 345.53, Chapter 800 and Section 66.12 Wisconsin Statutes.





(a) Stipulation of Guilt or No Contest. Stipulations of guilt or no contest may be made by persons arrested for violations of this Section in accordance with Section 66.12(1)(b) Wisconsin Statutes, whenever the provisions of Section 345.27 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 Wisconsin Statutes, and shall be received within ten (10) days of the date of the alleged violation.

(b) Deposits. Any persons stipulating guilt or no contest must make the deposit required under Section 345.26 Wisconsin Statutes, or, if the deposit is not established under such statute, shall deposit a forfeited penalty as provided in the schedule established by the Police Chief and approved by the Village Board. Deposits may be brought or mailed to the Police Department as directed by a police officer.

(c) Notice of Demerit Points and Receipt. Every officer accepting a forfeited penalty or money deposit under this Section shall issue receipt therefor as provided in Section 345.26(3)(b) Wisconsin Statutes. Every officer accepting a stipulation under the provisions of this Section shall comply with the provisions of Sections 343.28, 345.26(1)(a) and 345.27(2) Wisconsin Statutes, and shall require the alleged violator to sign a statement of notice in substantially the form contained on the uniform traffic citation and complaint promulgated under Section 345.11 Wisconsin Statutes.

(d) Forfeitures in Treasury; Officer to Post Bond; Qualification. Any officer accepting deposits or forfeited penalties under this Chapter shall deliver them to the Village Clerk-Treasurer within twenty (20) days after receipt. Any officer authorized to accept deposits under Section 345.26 Wisconsin Statutes or this Code shall qualify by taking the oath prescribed by Section 19.01 Wisconsin Statutes, and filing an official bond in the sum of Three Thousand Dollars (\$3,000) as described in Section 19.01 Wisconsin Statutes.

7.2 STATE TRAFFIC LAWS ADOPTED.

(1) **TRAFFIC CODE.** Except as otherwise specifically provided in this Chapter, Chapters 340 to 349 Wisconsin Statutes, describing and defining regulations with respect to vehicles and traffic, and Section 941.01 Wisconsin Statutes, relating to reckless driving off highways, inclusive 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 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 likewise 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 statewide regulation of traffic on the highways, streets and alleys of the State.

(2) **ADMINISTRATIVE CODE REGULATIONS FOR VEHICLES ADOPTED.**

(a) The following administrative rules and regulations of the Wisconsin Administrative Code, exclusive of any provisions therein relating to the penalties to be imposed,





are hereby adopted by reference and made a part of the Village Code as if fully set forth herein with respect to any street within the Village:

- i. Chapter Trans 254 – Single Trip Permits for Oversize or Overweight Vehicles or Loads;
- ii. Chapter Trans 255 – Multiple Trip Permits for Oversize or Overweight Vehicles or Loads;
- iii. Chapter Trans 305 – Standards for Vehicle Equipment; and
- iv. Chapter Trans 308 – Requirements for Trailer and Semi-Trailer Brake, Hitch and Coupling, Safety Chains, Cables and Leveling Bars.

(b) A police officer may stop or inspect a vehicle solely to determine compliance with the above-referenced Wisconsin Administrative Code provisions. A police officer may issue a citation for a violation of those provisions, observed in the course of patrol, a stop, or inspection made for other purposes, except that a law enforcement officer may not take a person into physical custody solely for a violation of the Wisconsin Administrative Code provisions referenced above.

(c) Noncompliance Prohibited. No person shall operate or allow to be operated on any highway or street a vehicle that is not in conformity with the requirements of Subchapter I of the equipment provisions of Chapter 347 Wisconsin Statutes or Chapters Trans, 254, 255, 305 or 308 Wisconsin Administrative Code.

(d) Owner's Liability. Any owner of a vehicle not equipped or required by this Section who knowingly causes or permits such vehicle to be operated on a highway is guilty of the violation the same as if he had operated the vehicle. The provisions of Section 347.04 Wisconsin Statutes, relating to non-applicability of demerit points shall apply to owners convicted of violation of this Section.

(e) Penalty. Penalty for violation of any provision of this Section, including the provisions of the Wisconsin Administrative Code, incorporated herein by reference, shall upon conviction thereof forfeit not less than Fifty Dollars (\$50) nor more than Five Hundred Dollars (\$500) and the cost of prosecution.

7.3 TRAFFIC CONTROL AND PARKING RESTRICTIONS.

(1) TRAFFIC CONTROL AND PARKING.

(a) Except as permitted by Section 346.50 Wisconsin Statutes, by this Chapter or by any posted signs, it shall be unlawful to park or leave standing any truck, automobile, motorcycle, wagon or other vehicle on any street, highway or public parking lot in





the Village. This subsection is adopted pursuant to Section 349.13 Wisconsin Statutes, and is expressly in lieu of Sections 346.51 to 346.56 Wisconsin Statutes, inclusive.

(b) Parking for persons engaged in business relating to the Village government is permitted on the south side of Highway "K", in front of the Village Hall, in the area reserved for that purpose.

(c) The Village Board may designate certain streets or portions of streets as no parking or no stopping or standing zones or as zones for parking by physically handicapped persons and may limit the hours in which the restrictions apply. The Village shall mark, by appropriate signs, each zone so designated in accordance with the provisions of Section 349.13 Wisconsin Statutes.

(d) Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, no person shall stop or park a vehicle in an established no stopping or standing zone when stopping or standing is prohibited. No vehicle shall be parked in a no parking zone during hours when parking is prohibited except physicians on emergency calls or as permitted by state law or elsewhere by this Code.

(2) **SUPPLEMENTAL REGULATIONS.** The Village Board is hereby granted the authority, within the reasonable exercise of police power to prohibit, limit the time or otherwise restrict the stopping, standing or parking of vehicles beyond the provisions of Chapter 346 Wisconsin Statutes. The Village Board shall have the authority to restrict the turning or movement of heavy traffic and to impose special weight limitations on any highway or portions thereof which, because of the weakness of the roadbed due to deterioration or climatic conditions or other special or temporary conditions, would likely be seriously damaged or destroyed in the absence of any restrictions on heavy traffic movement or special weight limitations.

(3) **PENALTY.** Any person who violates Section 7.3(1) shall be subject to a forfeiture of not less than Twenty Dollars (\$20) nor more than Forty Dollars (\$40) for the first offense and not less than Fifty Dollars (\$50) nor more than One Hundred Dollars (\$100) for the second and any subsequent offense within a year.





APPENDIX I

Village of Chenequa Code of Ordinances

Sections of Wisconsin Statutes adopted by reference shall include but not be limited to the following:

340.01	Words and phrases defined;
341.04(1), (2), (3)(a)	Penalty for operating unregistered or improperly registered vehicle;
341.08	Application for registration;
341.11(4)	Display of certification of registration;
341.15	Display of registration plates;
341.16(4)	Issuance of replacement plate;
341.51	Dealer registration;
341.55	Penalty for misuse of plates;
341.57(3)	Registration of finance companies and financial institutions;
341.61	Improper use of evidence or registration;
341.62	False evidence of registration;
341.63	When registration to be suspended;
342.05(4)	When certificate of title required;
342.06	Application for certificate of title;
342.15(5), (6) and (7)	Transfer of interest in a vehicle;
342.16	Transfer to or from dealer;
342.23	Secured party's and owner's duties;
342.30, 342.31,	Anti-theft and anti-fraud provisions;
342.33, 342.34	
343.01	Words and phrases defined;
343.10	Occupational licenses;
343.12	School bus operators to obtain special authorization;
343.19	Duplicate licenses or identification cards;
343.22	Notice of change of address or name;





343.305	Tests for intoxication, administration suspension and court-ordered revocation;
343.35	Surrender of licenses upon cancellation, revocation or suspension;
343.45 to 343.46	Unlawful practices relative to licenses;
343.60 to 343.72	Licensing of driver schools and instructors;
344.01	Words and phrases defined;
344.45 to 344.46	Penalties for violation of chapter;
344.51	Financial responsibility for domestic rented or leased vehicles;
345.01	Words and phrases defined;
345.17	Penalty for false statements;
345.20 to 345.53	General provisions in traffic forfeiture actions;
345.55	Traffic officers not to profit from arrests;
346.01	Words and phrases defined;
346.02	Applicability of chapter;
346.03	Applicability of rules of the road to authorized emergency vehicles;
346.04(1) and (2)	Obedience to traffic officers, signs and signals; fleeing from officer;
346.05 to 346.16	Driving, meeting, overtaking, and passing;
346.17	Penalty for violating ss. 346.04 to 346.16;
346.18 to 346.21	Right-of-Way;
346.22	Penalty for violating ss. 346.18 to 346.21;
346.23 to 346.29	Respective rights and duties of drivers and other highway users;
346.30	Penalty for violating ss. 346.23 to 346.29;
346.31 to 346.35	Turning and stopping and required signals;
346.36	Penalty for violating ss. 346.31 to 346.35;
346.37 to 346.42	Traffic signs, signals, and pavement markings;
346.43	Penalty for violating ss. 346.37 to 346.42;
346.44 to 346.485	Required stops;





346.49	Penalty for violating ss. 346.44 to 346.485;
346.57(2),(3), (4)(a) to (d), (5) and (6) to 346.595	Speed restrictions;
346.60	Penalty for violating ss. 346.57 to 346.595;
346.61	Applicability of sections relating to reckless and drunken driving;
346.62(1) and (3)	Reckless driving;
346.63(1), (2), (3)	Operating under influence of intoxicant or other drug;
346.64	Employment of drunken operator;
346.65(1) and (2)	Penalty for violating ss. 346.62 to 346.64;
346.66	Applicability of sections relating to accident and accident reporting;
346.68	Duty upon striking unattended vehicle;
346.69	Duty upon striking property on or adjacent to highway;
346.70(1),(2), (3) (4) and (5)	Duty to report accident;
346.71	Coroners or medical examiners to report; require blood specimen;
346.72	Garages to keep record of repairs of accident damage;
346.73	Accident reports not to be used in trial;
346.74	Penalty for violating ss. 346.67 to 346.73;
346.77 to 346.804	Bicycles and play vehicles;
346.82	Penalty for violating 346.77 to 346.804;
346.87 to 346.94	Miscellaneous rules;
346.95	Penalty for violating ss. 346.87 to 346.94;
347.01 to 347.05	General provisions;
347.06 to 347.29	Lighting equipment;
347.30	Penalty for violating lighting equipment requirements;
347.35 to 347.49	Other equipment;
347.50	Penalty for violating ss. 347.35 to 347.49;





348.01 to 348.02	General provisions;
348.05 to 348.10	Size and load;
348.11	Penalty for violating size and load limitations;
348.15 to 348.20	Weight;
348.21	Penalty for violating weight limitations; and
348.25 to 348.28	Permits.
941.01(1)	Negligent operation of vehicle.

(Provided, however that the prosecution of such offenses under this Code shall be as provided in Chapters 340 to 349 Wisconsin Statutes and the penalty for violation thereof shall be limited to a forfeiture as provided under Section 7.1(6) of the Code.)

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