

TITLE 10

Motor Vehicles and Traffic

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CHAPTER 1

Traffic and Parking

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ARTICLE A

General Provisions

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

- (a) **STATUTES ADOPTED.** Except as otherwise specifically provided in this Code, the statutory provisions in Chapters 340 to 349 of the Wisconsin Statutes, describing and defining regulations with respect to vehicles and traffic, for which the penalty is a forfeiture only, exclusive of any regulations for which the statutory Penalty is a fine or term of imprisonment or exclusively state charges, 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 349 incorporated herein are intended to be made part of this Chapter in order to secure to the extent legally practicable uniform statewide regulation of vehicle traffic on the highways, streets and alleys of the State of Wisconsin. Any person who shall, within the City of Park Falls, Wisconsin, violate any provisions of any Statute incorporated herein by reference shall be deemed guilty of an offense under this Section.
- (b) **OTHER STATE LAWS ADOPTED.** There are also hereby adopted by reference the following sections of the Wisconsin Statutes, but the prosecution of such offenses under this Chapter shall be as provided in Chapters 340 to 349 of the Wisconsin Statutes and the penalty for violation thereof shall be limited to a forfeiture as hereinafter provided in this Chapter:
- 941.01 Negligent Operation of Vehicle Off Highway
 - 941.03 Highway Obstruction
 - 943.11 Entry into Locked Vehicle
 - 943.23 Operating Motor Vehicles Without Owners Consent
 - 947.045 Drinking in Motor Vehicle on Highway
- (c) **STATUTES SPECIFICALLY INCORPORATED BY REFERENCE.** Whenever this Chapter incorporates by reference specific sections of the Wisconsin Statutes, such references shall mean the Wisconsin Statutes of 1987-88 as from time to time amended, repealed or modified by the Wisconsin Legislature.
- (d) **GENERAL REFERENCES.** General references in this Chapter to Wisconsin statutory sections or chapters describing or defining procedures or authority for enactment or enforcement of local traffic regulations shall be deemed to refer to the most recent enactments of the Wisconsin Legislature describing or defining such procedures or authorities.

SEC. 10-1-2 STATE ADMINISTRATIVE CODE PROVISIONS ADOPTED.

- (a) **ADMINISTRATIVE REGULATIONS ADOPTED.** The following administrative rules and regulations adopted by the Secretary of the Wisconsin Department of Transportation and published in the Wisconsin Administrative Code, exclusive of any provisions therein

relating to the penalties to be imposed, are hereby adopted by reference and made part of this Chapter as if fully set forth herein.

Wis. Adm. Code - MVD 3	Reciprocity - Nonresident Motor Carriers [Penalties of Wis. Stats. Sec. 341.04 apply]
Wis. Adm. Code - MVD 4	Lettering on Vehicles, Display of Evidence of Registration and Dual Permit
Wis. Adm. Code - Trans 305	Standards for Motor Vehicle Equipment
Wis. Adm. Code - MVD 6	Transportation of Explosives by Motor Vehicle
Wis. Adm. Code - MVD 17	Transportation of Explosives by Motor Vehicle
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 Sec. 110.075 and Chapter 347, Wis. Stats., incorporated by reference in Section 10-1-1 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 Sec. 347.04, Wis. Stats., relating to nonapplicability of demerit points shall apply to owners convicted of a violation of this Section.
- (d) **SAFETY CHECKS.**
- (1) Operators to Submit to Inspection. When directed to do so by any law enforcement officer, the operator of any motor vehicle shall stop and submit such vehicle to an inspection and such tests as are necessary to determine whether the vehicle meets the requirements of this Section or that the vehicle's equipment is in proper adjustment or repair. No person, when operating a motor vehicle, shall fail to stop and submit such vehicle to inspection when directed to do so by any law enforcement officer as herein provided.
 - (2) Authority of Officer. Any law enforcement officer of the City is hereby empowered whenever he or she shall have reason to believe that any provision of this Section is being violated to order the operator of the vehicle to stop and to submit such vehicle to an inspection with respect to brakes, lights, turn signals, steering, horns and warning devices, glass, mirrors, exhaust systems, windshield wipers, tires and other items of equipment.
 - (3) Vehicle to be Removed From Highway. Whenever, after inspection as provided by this Section, a law enforcement officer determines that a vehicle is unsafe for operation, he or she may order it removed from the highway and not operated, except for purposes of removal and repair until the vehicle has been repaired as directed in a repair order. Repair orders may be in the form prescribed by the secretary of the Department of Transportation under Sec. 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. 10-1-3 OFFICIAL TRAFFIC SIGNS AND CONTROL DEVICES; PROHIBITED SIGNS, SIGNALS AND MARKERS.

- (a) DUTY OF BOARD OF PUBLIC WORKS TO ERECT AND INSTALL UNIFORM TRAFFIC CONTROL DEVICES. Whenever traffic regulations created by this Chapter, including a State of Wisconsin traffic regulation adopted by reference in Section 10-1-1, require the erection of traffic control devices for enforcement, the Board of Public Works, with the cooperation of the Street Department, shall procure, erect and maintain uniform traffic control devices conforming to the Uniform Traffic Control Device Manual promulgated by the Wisconsin Department of Transportation, giving notice of such traffic regulation to the users of the streets and highways on which such regulations apply. Whenever State law grants discretion to local authorities in erecting or placement of a uniform traffic control device, devices shall be erected in such locations and in such a manner as, in the judgment of the Board of Public Works, will carry out the purposes of this Chapter and give adequate warning to users of the streets and highways of the
- (b) CODE NUMBERS TO BE AFFIXED TO OFFICIAL TRAFFIC CONTROL DEVICES. The Board of Public Works 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 any sign, signal, marker, mark or monument unless permission is first obtained from the Board of Public Works or, where applicable, the State Highway Commission. Any sign, signal, marker, mark or monument placed or maintained in violation of this Subsection shall be subject to removal as provided in Subsection (d).
- (d) REMOVAL OF UNOFFICIAL SIGNS, MARKERS, SIGNALS AND TRAFFIC CONTROL DEVICES. The Board of Public Works may remove any sign, signal, marking or other device which is placed, maintained or displayed in violation of this Chapter or state law. Any charge imposed against premises for removal of a prohibited or illegal sign, signal, marking or device shall be reported by the Board of Public Works to the Common Council for review and certification at its next regular meeting following the imposition of the charge. Any charge not paid on or before the next succeeding November 15 shall be placed upon the tax roll for collection as other special municipal taxes.

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

SEC. 10-1-4 REGISTRATION RECORD OF VEHICLE AS EVIDENCE.

When any vehicle is found upon a street or highway in violation of any provision of this Chapter regulating the stopping, standing or parking of vehicles and the identity of the operator cannot be determined, the owner, as shown by the ownership registration of the vehicle supplied by the Wisconsin Department of Transportation, or a comparable authority of any other state, shall be deemed to have committed the violation for purposes of enforcement of this Chapter and specifically Section 10-1-1 and shall be subject to the applicable forfeiture penalty; provided the defenses defined and described in Sec. 346.485(5)(b), Wis. Stats., shall be a defense for an owner charged with such violation.

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

- (a) (1) Except as provided in Subsection (b) below, school bus operators shall use flashing red warning lights within the corporate City limits when loading or unloading passengers. (enacted pursuant to Wis. Stat. §349.21(1)).
- (2) The operator of a school bus equipped with flashing red warning lights shall actuate such lights at least one hundred (100) feet before stopping to load or unload passengers and shall not extinguish such lights until loading or unloading is completed and persons who must cross the street or highway are safely across.
- (3) The operator of a motor vehicle which approaches from the front or rear of any school bus which has stopped on a street or highway when the bus is displaying flashing red warning lights shall stop the vehicle not less than twenty (20) feet from the bus and shall remain stopped until the bus resumes motion or the operator extinguishes the flashing red warning lights. The operator of a school bus, which approaches the front or rear of another school bus that has stopped and is displaying red warning lights, shall stop not less than twenty (20) feet from the other bus, display its red warning lights and remain stopped with red warning lights actuated until the other bus resumes motion or the other operator extinguishes the flashing red warning lights.

- (b) Pursuant to Sec. 349.21(2), Wis. Stats., the use of flashing red warning lights by school bus operators is prohibited when pupils or other authorized Passengers are loaded or unloaded directly from or onto the school grounds or that portion of the right-of-way between the roadway and the school grounds in a zone designated by "school" warning signs as provided in Sec. 118.08(1), Wis. Stats., in which a street or highway borders the grounds of a school.

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

- (a) Pursuant to Sections 346.03(3), 346.94(14), 346.95(3) and 347.25(1), (1m)(a) and (b) and (4), Wis. Stats., a marked police vehicle under Sec. 340.01(3)(a), Wis. Stats., may be equipped with a blue light and a red light which flash, oscillate or rotate.
- (b) If the vehicle is so equipped, the lights shall be illuminated when the operator of the police vehicle is exercising the privileges granted under Sec. 346.03, Wis. Stats. The blue light shall be mounted on the passenger side of the vehicle and the red light shall be mounted on the driver side of the vehicle. The lights shall be designed and mounted so as to be plainly visible and understandable from a distance of five hundred (500) feet during normal sunlight and during hours of darkness. No operator of a police vehicle may use the warning lights except when responding to an emergency call or when in pursuit of an actual or suspected violator of the law, when responding to but not upon returning from a fire alarm or when necessarily parked on a highway in a position which is likely to be hazardous to traffic using the highway.

SEC. 10-1-7 ACCIDENT REPORTS.

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

State Law Reference: Sec. 346.70, Wis. Stats.

SEC. 10-1-8 PROHIBITION OF COMPRESSION BRAKES.

No person should use motor vehicle brakes within the City that are in any way activated or operated by the compression of an engine of any such motor vehicle or any unit or part thereof.

SEC. 10-1-9 RESERVED FOR FUTURE USE.

ARTICLE B

Controlled Intersections; Street Traffic Regulations

SEC. 10-1-10 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 10-1-1 of this Chapter. Operators of vehicles approaching a stop sign shall stop before entering a highway as required by Sec. 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 Sec. 346.18(6), Wis. Stats.

SEC. 10-1-11 THROUGH STREETS DESIGNATED.

- (a) In the interest of public safety and pursuant to Sec. 349.07, Wis. Stats., the following streets or portions thereof set forth in this Section are declared to be through streets. All vehicles proceeding onto such portions of such streets from intersecting or joining streets shall first stop as provided by Sec. 346.46, Wis. Stats., when such stop is directed by an official sign there in place as provided by this Chapter:
- (1) Saunders Avenue from the north curb line of Birch Street, north to and including the south curb line of Cedar Street.
 - (2) Saunders Avenue from the north curb line of Cedar Street, north to the Park Falls Country Club.
 - (3) Sherry Avenue from the north curb line of Birch Street, north into Hines Memorial Park.
 - (4) Cedar Street from the east curb line of Sherry Avenue, east to and including the west curb line of Saunders Avenue.
 - (5) First Street South which becomes Birch Street east of the Flambeau River, from the east curb line of Fourth Avenue South, each through the City limits.
 - (6) Case Avenue from the south curb line of Birch Street, south through the City limits.
 - (7) First Avenue from the north curb line of First Street South, north through the City limits.
 - (8) Second Avenue North from the north curb line of First Street North, north to the south curb line of Ninth Street North.
 - (9) Fourth Avenue (known as State Highway 13) through from the City limits on the south through the City limits on the north.
 - (10) Third Avenue South from the north curb line of Eighth Street South, north to the south curb line of First Street South.
 - (11) Fifth Street North from the east curb line of State Highway 13 east to the west curb line of Second Avenue North.
 - (12) Fifth Avenue South from the north curb line of Division Street, south to the north curb line of Fifth Street South.

- (13) Fifth Avenue South from the south curb line of Fifth Street South, south to the north curb line of Ninth Street South.
- (14) Division Street from the west curb line of Fifth Avenue, west through the City limits.
- (15) Division Street from the east curb line of Fourth Avenue, east to the west curb line of Second Avenue.
- (16) Ninth Street South from the west curb line of Fourth Avenue South, west through the City limits.
- (17) All vehicles proceeding in an easterly direction on Cedar Street shall stop behind the crosswalk at the intersection of Cedar Street with Saunders Avenue, and all vehicles proceeding in a northerly or southerly direction on Saunders Avenue shall stop behind the crosswalk at the intersection of Saunders Avenue with Cedar Street.
- (18) All vehicles proceeding in an easterly or westerly direction on First Street North shall stop behind the crosswalk at the intersection of First Street North with Second Avenue North, and all vehicles proceeding in a northerly or southerly direction on Second Avenue North shall stop behind the crosswalk at the intersection of Second Avenue North with First Street North.
- (19) All vehicles proceeding in any direction on Niebauer or Little Birch Road shall stop behind the stop sign at the intersection with the Soo Line Railroad before proceeding across the crossing.
- (20) All vehicles proceeding in an easterly or westerly direction on Division Street approaching the intersection with Second Avenue shall stop behind the crosswalk at said intersection of Division Street and Second Avenue, and all vehicles proceeding in a northerly or southerly direction on Second Avenue approaching the intersection with Division Street shall stop behind the crosswalk at said intersection of Second Avenue and Division Street.

State Law Reference: Sec. 349.07, Wis. Stats.

SEC. 10-1-12 HEAVY TRAFFIC ROUTES.

- (a) **Motor Vehicles Regulated.** Those vehicles regulated by this Section are motor vehicles weighing in excess of ten thousand (10,000) pounds gross weight or empty weight, hereinafter referred to as "trucks."
- (b) **Routes of Travel.** Motor vehicles weighing in excess of ten thousand (10,000) pounds gross weight or empty weight shall be restricted, unless otherwise permitted by this Section, to the following specified routes of travel, transit, transport and use within and through the City of Park Falls as follows:
 - (1) State Highway 182 from the intersection of said Highway 182 with State Highway 13 to the City of Park Falls corporate boundary east of the Flambeau River.
 - (2) State Highway 13 from the intersection of said State Highway 13 with the south corporate boundary of the City of Park Falls to the intersection of said Highway 13 with the north corporate boundary of the City of Park Falls.

- (3) First Avenue North from the intersection of said First Avenue North with Fifth Street North to the intersection of said First Avenue North with the north corporate boundary of the City of Park Falls.
 - (4) Fifth Street North from the intersection of said Fifth Street North with Wisconsin State Highway 13 to the intersection of said Fifth Street North with First Avenue North. (Effective September 1st through May 31st).
 - (5) Price County Trunk E (also known as Ninth Street South) from the intersection of Price County Trunk E with the west corporate boundary of the City of Park Falls to the intersection of said Price County Trunk E with State Highway 13.
 - (6) Ninth Street North from its intersection with State Highway 13 to the intersection of said street with First Avenue North.
 - (7) Fifth Avenue North from Wisconsin State Highway 13 to the intersection with First Street South.
- (c) POSTING OF DESIGNATED ROUTES.
- (1) Each route of travel referred to in Subsection (b) shall be referred to as a "Truck Route."
 - (2) Traffic regulation signs shall be posted on all lanes of travel on the routes specified in Subsection (b) advising motorists that the route in question is a "Truck Route."
- (d) SPEED LIMIT ON FIFTH STREET NORTH.
- (1) The speed limit for all motor vehicles in excess of ten thousand (10,000) pounds gross weight or empty weight traveling on Fifth Street North from the intersection of said Fifth Street North (effective June 1st through August 31st) with State Highway 13 to the intersection of said Fifth Street North with First Avenue North shall not be in excess of fifteen (15) miles per hour.
 - (2) Traffic regulation signs shall be posted on both lanes of travel on said Fifth Street North advising motorists that the maximum speed for trucks on said truck route is fifteen (15) miles per hour.
- (e) EXCEPTIONS. No motor vehicle weighing in excess of ten thousand (10,000) pounds shall be deemed to have violated Subsection (b) if said vehicles are:
- (1) Moving vans actually delivering or accepting for transport household goods, household furniture and furnishings to locations not located on a truck route which deviate from the truck routes by the most direct route to or from the location where it is to deliver or to accept items for loading.
 - (2) Vehicles actually delivering goods or materials to or from construction sites not located on a truck route which deviate from the truck routes by the most direct route to or from the construction site.
 - (3) Vehicles actually delivering goods or materials to or from commercial retail, or manufacturing business establishments or sites not located on a truck route which deviate from the truck routes by the most direct route to or from the establishment or site.
 - (4) Emergency and maintenance vehicles traveling to or from locations not situated on a truck route.

(f) **CONSTRUCTION EQUIPMENT.**

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

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

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

SEC. 10-1-13 SPEED LIMITS.

Speed restrictions within the City of Park Falls shall be as set forth in Sec. 346.57, Wis. Stats., with the exception that posted speed limits on Fourth Avenue (State Highway 13) shall be as follows for all vehicles: forty-five (45) miles per hour between Fifth Avenue North and the north construction limits of the City of Park Falls, and subject to any applicable school zone regulations.

SEC. 10-1-14 STOP SIGNS.

- (a) The Common Council designates on its official traffic map, incorporated by reference herein, authorized stop signs within the boundaries of the City of Park Falls.

SEC. 10-1-15 NO PASSING ON RIGHT.

No vehicle shall pass on the right on the following streets and highways:

- (a) State Highway 13, northbound, from the intersection of South 9th Street and Highway 13 to the intersection of 5th Street and State Highway 13.
- (b) State Highway 13, southbound, from a point one hundred thirty (130) feet north of 4th Street to the intersection of State Highway 13 and Wells Street.

SEC. 10-1-16 THROUGH SEC. 10-1-19 RESERVED FOR FUTURE USE.

ARTICLE C

Parking Regulations

SEC. 10-1-20 RESTRICTIONS ON PARKING; POSTED LIMITATIONS.

- (a) The Common Council may designate certain streets or portions of streets as no parking or no stopping or standing zones or as zones for parking by physically handicapped persons and may limit the hours in which the restrictions apply. The City shall mark, by appropriate signs, each zone so designated in accordance with the provisions of Sec. 349.13, Wis. Stats.
- (b) Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, no person shall stop or park a vehicle in an established no stopping or standing zone when stopping or standing is prohibited. No vehicle shall be parked in a no parking zone during hours when parking is prohibited except physicians on emergency calls or as permitted by state law or elsewhere by this Code of Ordinances.
- (c) The Chief of Police is hereby granted the authority, within the reasonable exercise of police power to prohibit, limit the time or otherwise restrict the stopping, standing or parking of vehicles beyond the provisions of Chapter 346. The Street and Water Superintendent shall have the authority to restrict the turning or movement of heavy traffic and to impose special weight limitations on any highway or portions thereof which, because of the weakness of the roadbed due to deterioration or climatic conditions or other special or temporary conditions, would likely be seriously damaged or destroyed in the absence of any restrictions on heavy traffic movement or special weight limitations.
- (d) No prohibition, restriction or limitation on parking or restriction on movement or turning of heavy traffic and imposition of special weight limits is effective unless official traffic control devices have been placed or erected indicating the particular prohibition, restriction or limitation.
- (e) After the parking limitations on any given street have expired, any change of location of not more than one (1) stall following expiration of the parking period allowed shall be and constitute a violation of this Chapter.

SEC. 10-1-21 **PARKING RESTRICTIONS DURING TEMPORARY SNOW REMOVAL OR STREET MAINTENANCE.**

- (a) **Street Maintenance.** Whenever it is necessary to clear or repair a City roadway or any part thereof, the Street and Water Superintendent and/or Police Department shall post such highways or parts thereof with signs bearing the words "No Parking Street Maintenance Work." Such signs shall be erected at least two (2) hours prior to the time that street maintenance work is to be commenced. No person shall park a motor vehicle in violation of such signs.
- (b) **Temporary Parking Restrictions for Special Events.** Pursuant to the provisions of Subsection 349.13, Wis. Stats., the Chief of Police is authorized to direct that temporary "No Parking" signs be erected by the Street and Water Superintendent

during parades, festivals and other authorized events that require the regulating of vehicle stopping, standing or parking on City roadways. The temporary regulation shall be limited to the time the event exists or is likely to exist.

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

SEC. 10-1-22 STOPPING OR PARKING PROHIBITED IN CERTAIN SPECIFIED PLACES

- (a) **Parking Prohibited at All Times.** Except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers or property and while the vehicle is attended by a licensed operator so that it may be moved promptly in case of an emergency or to avoid obstruction of traffic, no person shall at any time park or leave standing any vehicle:
- (1) Within an intersection.
 - (2) On a crosswalk.
 - (3) 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.
 - (4) On the roadway side of any parked vehicle unless double parking is clearly indicated by official traffic signs or markers.
 - (5) Within a fire lane consisting of either the driveway between the front doors of the Fire Station and the public street or in such places properly designated and marked as fire lanes ordered by the Fire Chief.
 - (6) 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.
 - (7) In any place or manner so as to obstruct, block, or impede traffic.
 - (8) Within ten (10) feet of a fire hydrant, unless a greater distance is indicated by an official traffic sign.
 - (9) Upon any portion of a highway or terrace where and at the time when parking is prohibited, limited or restricted by official traffic signs.
 - (10) Upon any bridge.
 - (11) Upon any street or highway within the City limits any vehicle which faces a direction different from the direction of normal traffic flow for the lane of traffic in which said vehicle is stopping or standing.
 - (12) Upon any sidewalk in the City at any time.
 - (13) In a loading zone.
 - (14) Within six (6) feet of the entrance to an alley, private road or driveway.
 - (15) In any municipal park when said park is closed to the public.
 - (16) On the west side of Sherry Avenue, beginning at State Highway 182 and going south to the terminus of the street.

- (b) **Parking in Driveways.** No person shall park or leave standing any motor vehicle in any private driveway without the permission of the owner or lessee of the property which such driveway is located, whether or not such driveway is posted to limit or restrict parking.
- (c) **Vehicles Not to Block Private Drive, Alley or Fire Lane.** No vehicle shall, at any time, be parked so as to unreasonably restrict the normal access to any private drive, alley or fire lane. Said access shall be deemed to be unreasonably restricted if any vehicle is parked within four (4) feet of either side of said access. Upon discovery by a police officer or upon complaint by the owner of any such blocked drive, alley or fire lane, the Chief of Police may order said vehicle towed from such position at the risk and expense of the owner of said vehicle.
- (d) **Parking Vehicle for Repair or to Display for Sale Prohibited.**
 - (1) No person shall stand or park a vehicle on any street, alley, public right-of-way or municipal parking lot in the City for the purpose of repairing said vehicle or to display such vehicle for sale. No person shall park on any street or avenue any vehicles for the primary purpose of advertising.
 - (2) No person other than an owner and/or operator of a business located on business-zoned property engaged in the regular business of selling vehicles may display a vehicle for sale upon private premises unless the following conditions are met:
 - A.
 - i. Consent to display the vehicle has been given by the owner or lessee of the premises; and
 - ii. The premises contains only one (1) vehicle displayed for sale; and
 - iii. The vehicle displayed for sale is parked entirely on the premises; and
 - iv. The vehicle cannot be displayed for more than a period of sixty days; and
 - v. The advertisement or sign for sale of the vehicle is not larger than two (2) square feet.
 - B. The vehicle(s) is/are being displayed in a trade/sport/car show.
 - C. The vehicle(s) is/are being displayed by a lending institution acting within the scope of their business.

SEC. 10-1-23 PARKING RESERVED FOR VEHICLES OF DISABLED.

When official traffic signs indicating such restriction have been erected in accordance with Section 10-1-3 of this Chapter, no person shall park, stop or leave standing any vehicle upon any portion of a street, highway or public or private parking facility reserved for vehicles displaying special registration plates or identification cards or emblems issued by the Wisconsin Department of Transportation or, for vehicles registered in another jurisdiction, by such other jurisdiction designating the vehicle as one used by a physically disabled person.

SEC. 10-1-24 RESERVED FOR FUTURE USE.

SEC. 10-1-25 UNATTENDED MOTORIZED MACHINERY.

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

SEC. 10-1-26 ANGLE PARKING.

- (a) Angle parking or parking diagonally is prohibited on all the streets, alleys and highways of the City except as provided herein. All vehicles shall park parallel to, and within one (1) foot of, the curb except where streets and parking lots are so marked for angle parking. The following designated streets or portions thereof shall be designed for angle parking only:
- (1) First Avenue North along the west curb between Third Street North and First Street North.
 - (2) Second Avenue between First Street South and Second Street North.
 - (3) Third Avenue between First Street South and Division Street.
 - (4) First Street North along the north curb between First Avenue North and the alley west of First Avenue North.
 - (5) Fifth Avenue South along the west curb between Division Street and the south line of St. Anthony's playground.
- (b) No person shall at any time park any vehicle:
- (1) In any direction other than the designated parking angle, where angle parking spaces are so designated and provided by appropriate markings.
 - (2) Backwards into angle parking spaces so designated and provided by appropriate markings.
 - (3) With a trailer attached or any vehicle longer than twenty (20) feet on any street where angle parking is so provided and allowed.

SEC. 10-1-27 PARKING PROHIBITED DURING CERTAIN PERIODS.

- (a) **PARKING LIMITS.** When signs are erected in any block giving notice thereof, no person shall park a vehicle for longer than a period hereinafter specified at any time between the hours of 8:00 a.m. and 6:00 p.m. on Mondays through Thursdays and 8:00 a.m.

and 9:00 p.m. on Fridays, except Sundays and holidays, upon the following streets or portions of streets:

- (1) Two (2) Hour Parking.
 - a. Second Avenue between First Street South and Second Street North.
 - b. Third Avenue South between First Street South and Second Street North.
 - c. Fourth Avenue between First Street South and First Street North.
 - d. Division Street between First Avenue and Fifth Avenue.
 - e. First Street North between the alley west of First Avenue and the alley west of Second Avenue.
 - f. First Street South between Second Avenue South and First Avenue South.
 - g. First Street North between Second Avenue and Fourth Avenue.
- (2) Thirty (30) Minute Parking Limit.
 - a. First Street South along the north curb between Fourth Avenue South and the alley west of Fourth Avenue South.
 - b. First Street North along the north curb between First Avenue North and the alley west of First Street North.
 - c. First Avenue North along the east curb between Division Street and the driveway of the Flambeau Paper Corporation.
 - d. First Avenue North along the west curb north from Second Street North, through the first two (2) parking spaces.
- (b) **Fifteen (15) Minute Parking Limit.** No person shall park a vehicle for longer than fifteen (15) minutes at any time between the hours of 7:00 a.m. and 9:00 p.m. upon the following streets or portions of streets:
 - (1) First Street North along the south curb between First Avenue North and the alley west of First Avenue North.
 - (2) Fifth Avenue South along the east curb between Second Street South at a point seventy-one (71) feet north of the intersection of said avenue and street.
 - (3) Second Street South along the north curb between Fifth Avenue South and a point seventy-two (72) feet east of the intersection of said avenue and street.
- (c) **No Parking Zones.** Parking of motor vehicles shall be prohibited:
 - (1) On both the north curb and the south curb of First Street South, also known as State Highway 182, east of the southeast corner of Lot 11 of Block 19.
 - (2) East of the northeast corner of Lot 2 of Block 22 of the Park Falls Lumber Company Plat, according to the recorded plat thereof to the City of Park Falls to the intersection of said First Street South, also known as State Highway 182, with the bridge crossing the Flambeau River commencing at the northeast corner of Lot 21 of said Park Falls Lumber Company Plat to the City of Park Falls.
- (d) **Winter Parking Restricted.**
 - (1) No person shall park any vehicle or leave any vehicle standing on any street from 2:00 a.m. until 6:00 a.m. between November 1st and May 1st, except as expressly allowed by the Chief of Police or his or her designee, per administrative policy.

- (2) Emergency vehicles, defined as municipality-owned or leased maintenance vehicles, ambulances, fire trucks, fire equipment, police vehicles, public or private utility company vehicles, and privately owned motor vehicles being operated by physicians, chiropractors, county health nurses, nurse practitioners and physician's assistants, actually engaged in and providing emergency services to the citizens of the City of Park Falls or on behalf of the municipality itself, on any of the streets, avenues, or highways lying within the City of Park Falls shall be excepted from the provisions of this Subsection.
- (e) Comprehensive Parking Map of the City of Park Falls. All parking zones and stop signs in the City of Park Falls shall be hereafter and are designated in the Comprehensive Parking Map of the City of Park Falls adopted May 6, 1980. Such map may be amended from time to time by the Council by appropriate resolution and the physical alteration of such map to indicate new or altered parking zones of various types. A duplicate certified copy thereof shall, at all times, be on file with the Clerk of Circuit Court for Price County. Such maps shall have appended a summary of amendments and other pertinent history.

SEC. 10-1-28 PARKING OF VEHICLES OVER 12,000 POUNDS OR 16 FEET RESTRICTED.

- (a) Street Parking. No person owning or having control of any truck, trailer, truck power unit, tractor, bus or recreation vehicle with a tare or empty weight in excess of twelve thousand (12,000) pounds gross weight, or over sixteen (16) feet in length (including accessories, racks, or other physical extensions), or having a height of more than eight (8) feet from the roadway, shall park the same upon any street, avenue, or public way in the City in a residential-zoned area for more than two (2) consecutive hours. The provisions of this Subsection shall not be deemed to prohibit the lawful parking of such equipment upon any street, avenue or public way in the City for the actual loading or unloading of goods, ware or merchandise, 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.
- (b) Truck Parking Prohibited. The parking of trucks of any kind is prohibited at all times on the east side of Fourth Avenue (State Highway 13) between a point two hundred twenty-one (221) feet south of the northeast corner of Block B of Southtown Addition and a point five hundred twenty-one (521) feet south of the northeast corner of Block B of Southtown Addition.
- (c) Truck Parking Restricted. Parking of trucks exceeding sixteen (16) feet in length is prohibited on the following-designated streets:
 - (1) On Division Street between First Avenue and Fifth Avenue.
 - (2) On Second Avenue between First Street South and Second Street North.
 - (3) On Third Avenue between First Street South and Division Street.

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

SEC. 10-1-29 DESIGNATION OF PARKING SPACES.

The Chief of Police is hereby directed and authorized to mark off individual parking spaces in the parking zones and in such other zones as may hereafter be established. Said parking spaces shall be designated by lines painted or durably marked on the curbing or surface of the street. At each space so marked off it shall be unlawful to park any vehicle in such a way that said vehicle shall not be entirely within the limits of the space so designated.

SEC. 10-1-30 UNLAWFUL REMOVAL OF PARKING CITATIONS.

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

SEC. 10-1-31 OPERATION OF MOTOR VEHICLES IN PUBLIC PARKING LOTS.

- (a) **Unlicensed Operators Prohibited.** No person who does not hold a valid operator's license shall operate a vehicle in any public parking lot or ramp or in any private parking lot or ramp held out for the use of parking for the general public.
- (b) **Traffic Regulations Applicable.** All provisions of Section 10-1-1 of this Chapter and of the Wisconsin Statutes and laws incorporated herein by reference shall be applicable on any public parking lot or ramp and on any private parking lot, road or ramp held out for use for the general public for parking or vehicular traffic.

SEC. 10-1-32 REMOVAL OF ILLEGALLY PARKED VEHICLES

- (a) **Hazard to Public Safety.** Any vehicle parked, stopped or standing upon a highway or public parking lot or ramp 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 law enforcement officer, to a position where parking is permitted or to a private or public parking or storage premises.
- (c) **Removal by Traffic Officer.** Any law enforcement officer after issuing a citation for illegal parking, stopping or standing of an unattended vehicle in violation of this Chapter, is authorized to 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 the actual cost of moving, towing and storage. If the vehicle is towed or stored by a private motor carrier, motor vehicle salvage dealer or licensed motor vehicle dealer, actual charges regularly paid for such services shall be paid. If the vehicle is stored in a public storage garage or rental facility, customary charges for such storage shall be paid. Upon payment, a receipt shall be issued to the owner of the vehicle for the towing or storage charge.

SEC. 10-1-33 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 street or highway, parking lot or ramp longer than twenty-four (24) hours after notification thereof by the Police Department. Notification shall be accomplished by placing in a conspicuous place on the vehicle and by mailing or serving upon the owner or occupant in charge of the premises a written notice setting forth briefly the applicable provisions of this Section and the date of the notice. Any vehicle so tagged which is not removed within twenty-four (24) hours after notice is declared to be a public nuisance and may be removed as provided in Section 10-1-32.
- (b) **EXEMPTIONS.** This Section shall not apply to a motor vehicle in an appropriate storage place or depository maintained in a lawful place and manner authorized by the City of Park Falls.

Cross-Reference: Section 10-5-1.

SEC. 10-1-34 TRAFFIC AND PARKING REGULATIONS ON SCHOOL DISTRICT GROUNDS.

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

- (a) **PARKING.** No person shall park any vehicle in any vehicular traveling area or parking area of the Park Falls School District, except in conformity with posted parking regulations set forth for such vehicular travel and parking areas.
- (b) **SPEED LIMITS.** No person shall, at any time, operate a motor vehicle upon any Park Falls School District grounds at a speed in excess of fifteen (15) miles per hour.
- (c) **VEHICLES PROHIBITED AT SPECIFIED TIMES.** No person shall, at any time, operate a motor vehicle other than a school bus or emergency vehicle, in or upon any drive designed for buses only by sign during the hours of 7:00 a.m. to 9:00 a.m. and during the hours of 3:00 p.m. to 4:30 p.m. on any weekday during the months school is in session.

SEC. 10-1-35 THROUGH SEC. 10-1-39 RESERVED FOR FUTURE USE.

ARTICLE D

Miscellaneous Provisions

SEC. 10-1-40 DISTURBANCE OF THE PEACE WITH A MOTOR VEHICLE.

- (a) **Unnecessary Noise and Display of Power Prohibited.** It shall be unlawful for any person to operate a motor vehicle in such a manner which shall make or cause to be made any loud, disturbing, or unnecessary sounds or noises such as may tend to annoy or disturb another in or about any public or private area in the City of Park Falls.
- (b) **Unnecessary Smoke Prohibited.** It shall be unlawful for any person to operate a motor vehicle in such a manner which shall make or cause to be made any smoke, gases, or odors which are disagreeable, foul, or otherwise offensive which may tend to annoy or disturb another in or about any public or private area in the City.
- (c) **Unnecessary Acceleration Prohibited.** It shall be unlawful for any person to excessively accelerate a vehicle, squeal the tires of a vehicle, imprudently operate a vehicle in a way that endangers the public, or operate a motor vehicle in such a manner as to leave the roadway and travel across private property to avoid an official traffic control device, sign, or signal.
- (d) **Avoidance of Traffic Control Device Prohibited.** It shall be unlawful for any person to operate a motor vehicle in such a manner as to leave the roadway and travel across private property to avoid an official traffic control device, sign, or signal.
- (e) **Operation in Restricted Area Prohibited.** It shall be unlawful for any person to operate a motor vehicle in such a manner as to leave the roadway and park, stop, or travel upon or across any public or private property, parking lot, driveway, or business service area for any purpose except the official conduct of business located on said property without the consent of the owner or lessee of the property. This Section shall specifically include, but not be limited to:
 - (1) Public park property;
 - (2) Cemetery properties;
 - (3) School District property;
 - (4) Medical facilities;
 - (5) Funeral homes;
 - (6) Service stations;
 - (7) Grocery stores;
 - (8) Restaurants;
 - (9) Financial institutions; and
 - (10) 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.

SEC. 10-1-41 PEDESTRIAN REGULATIONS.

- (a) **Pedestrian Obedience to Traffic Control Devices and Regulations.**
 - (1) Obedience to Traffic Control Devices. No person shall fail to obey the instructions of any Uniform Traffic Control Device when traveling as a pedestrian on any highway within the City of Park Falls unless otherwise directed by a law enforcement officer
 - (2) Crossing at Crosswalks. No pedestrian shall cross at a crosswalk except on the right half thereof whenever practicable. Where sidewalks are provided, no pedestrian shall walk along and upon an adjacent roadway except when the sidewalk is visibly unsafe, obstructed or closed to public travel.
- (b) **Prohibited Pedestrian Crossings.** No pedestrian shall cross between adjacent intersections, unless such crossing is permitted by Official Traffic Control Devices.

SEC. 10-1-42 MOTOR VEHICLES ON PEDESTRIAN WAYS AND OVERPASSES.

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

SEC. 10-1-43 SCHOOL CROSSING GUARDS.

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

State Law Reference: Sec. 349.215, Wis. Stats.

SEC. 10-1-44 DRIVING OVER CURBING OR SAFETY ISLANDS PROHIBITED.

- (a) **Driving Over Curbing Prohibited.** It shall be unlawful for any motor vehicle to be driven or backed over any curbing in the City of Park Falls.
- (b) **Driving Over Safety Zones or Islands Prohibited.** Whenever safety zones or safety islands are marked in accordance with the Wisconsin Uniform Traffic Control Device Manual, no operator of a vehicle shall at any time drive through or over a safety zone or safety island.

SEC. 10-1-45 AIRPORT TRAFFIC.

- (a) **Definition of Words and Phrases.** The following definitions shall be applicable in this Section:
 - (1) Pedestrian. Any person afoot.

- (2) Vehicle. Every device in, upon, or which any person or property is or may be transported, excepting, unless specifically included, vehicles used exclusively upon stationary rails or tracks of any vehicle propelled by the use of electricity obtained from overhead trolley structures.
 - (3) Emergency Equipment. Emergency equipment is defined as ambulances, crash rescue and firefighting apparatus and such other equipment as the Common Council may designate as necessary to safeguard airport runways, taxiways, ramps, buildings, and other property.
 - (4) Service, Maintenance, and Construction Equipment. Equipment normally operated by the City and/or the Federal Aviation Agency on landing areas, runways, taxiways, and peripheral roads for the servicing, maintenance, and construction of airport facilities and services. This definition shall include equipment owned and operated by a contractor performing work on the airport under a contractual agreement with the City.
- (b) **Operation of Vehicles on Runways, Taxiways, and Ramps.**
- (1) No privately owned vehicle shall enter, be driven upon, or operated upon any airport runway, taxiway, or ramp or tie-down area or any area posted by signs prohibiting the entrance thereon.
 - (2) The provisions of this Section shall not apply to emergency equipment and/or service, maintenance, and construction equipment when engaged in performing official duties.
 - (3) Aircraft owners will be excluded from the provisions of this Section relating to tie-down areas, when necessary, to reach their own aircraft but in doing so they 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.
- (c) **Speed of Vehicles.** 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 of 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 airport for the public safety.
- (d) **Pedestrian Traffic on Airport.** No pedestrian shall be allowed beyond the administration area or to the apron or aircraft tie-down area unless for the purpose of embarking in or disembarking from an aircraft or unless authorized by the airport manager. Pedestrian traffic is prohibited on the runway and outlying area of the airport, except for those employees of the City, County, State, Federal Government, or contractors engaged in airport construction or maintenance work.

SEC. 10-1-46 THROUGH SEC. 10-1-49 RESERVED FOR FUTURE USE.

ARTICLE E

Enforcement and Penalties

SEC. 10-1-50 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 Sections 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 assessment are paid, but 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 or 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, except a 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 Uniform Moving Traffic Regulations.** Forfeitures for violations of any moving traffic regulation set forth in the Wisconsin Statutes adopted by reference in Section 10-1-1 shall conform to the forfeiture penalty permitted to be imposed for violations of the comparable Wisconsin Statute, including any variations or increases for subsequent offenses; provided, however, that this Subsection shall not be construed to permit prosecution under this Chapter for any offense described in Chapters 341 to 349, 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 forfeiture for violation of non-moving traffic violations adopted by reference in Section 10-1-1 as described in Chapters 341 to 349, Wis. Stats., shall be as found in the current edition of the Revised Uniform State Traffic Deposit Schedule.
- (2) Penalty for Other Parking Violations. The penalty for all other parking violations not included above shall be a forfeiture of not less than Five Dollars

(\$5.00), and shall be as determined by the bond schedule adopted by the Common Council.

- (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 Five Dollars (\$5.00) nor more than Two hundred Dollars (\$200.00) for the first offense and not less than Ten Dollars (\$10.00) nor more than Four Hundred Dollars (\$400.00) for the second offense within two (2) years, as determined by the bond schedule adopted by the Common Council.

SEC. 10-1-51 ENFORCEMENT.

(a) **Enforcement Procedures.**

- (1) How Enforced. This Chapter shall be enforced in accordance with the applicable provisions of the Wisconsin Statutes and this Section.
- (2) Applicable Court Procedures. Except where otherwise specifically provided by the laws of the State of Wisconsin or this Code, the traffic regulations in this Code shall be enforced in the Circuit Court in accordance with the provisions of Sec. 345.20(2)(b) and Chapter 800, Wis. Stats.

(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 City Attorney and Chief of Police shall recommend to the Common Council a citation for use in enforcing the non-moving traffic offenses in this Chapter. Such citation 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 10-1-1, and all provisions regarding non-moving traffic violations in this Chapter. The citation for non-moving traffic violations shall contain a notice that the person cited may discharge the forfeiture for violation of a non-moving traffic regulation and penalty thereof by complying with Subsection (c)(2) of this Section. Non-moving traffic citations may be issued by law enforcement officers or by civilian employees of the Police Department.

(c) **Deposits and Stipulations.**

- (1) Uniform Traffic Offenses.
 - a. Who May Make. Persons arrested or cited for violation of moving traffic offenses created by this Chapter shall be permitted to make deposits and stipulations of no contest or released by the arresting officer in accordance with the applicable provisions of the Wisconsin Statutes. Stipulations of guilt or no contest may be made by persons

arrested for violations of this Chapter in accordance with Sec. 66.12(1)(b) of the Wisconsin Statutes whenever the provisions of Sec. 345.27 of the Wisconsin Statutes are inapplicable to such violations. Stipulations shall conform to the form contained in the uniform traffic citation and complaint under Sec. 345.11 of the Wisconsin Statutes.

- 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 Sec. 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 to the City Clerk-Treasurer within five (5) days of the issuance of the citation in lieu of court appearance.
- c. Receipt Required. Every official accepting a stipulation under the provisions of this Chapter shall comply with the provisions of 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 Sec. 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 five (5) days to the City Clerk-Treasurer.

(2) Non-moving Traffic Offenses.

- a. Direct Payment of Penalty Permitted. Persons cited (summons not issued) for violation of non-moving traffic offenses described and defined in this Chapter may discharge the penalty thereof and avoid court prosecution by mailing or forwarding within ten (10) days of the issuance of the citation to the City Clerk-Treasurer the minimum forfeiture specified for the violation.
- b. Court Prosecution. If the alleged violator does not deliver or mail a deposit as provided in Subsection a. within fifteen (15) days of the date of the citation, the Chief of Police shall forward a copy of the citation to the City Attorney for prosecution.
- c. Registration Suspension. If the alleged violator does not pay the forfeiture or appear in court in response to the citation for a non-moving traffic violation on the date specified in the citation or, if no date is specified on the citation, within twenty-eight (28) days after the citation is issued, the City may ask the Wisconsin Department of Transportation to suspend the registration of the vehicle involved or refuse registration of any vehicle owned by the person pursuant to the provisions of Sec. 345.28(4), Wis. Stats., and Subsection (c)(3) below.
- d. Deposits Returned to City 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 official 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.
- (3) Notice of Demerit Points and Receipt. Every officer accepting a forfeited penalty or money deposit under this Section shall receipt therefor in triplicate as provided in Sec. 345.26(3)(b), Wis. Stats. Every officer accepting a stipulation under the provisions of this Section shall comply with the provisions of Sections 343.27, 343.28, 345.26(1)(a) and 345.27(2), Wis. Stats., 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 Sec. 345.11, Wis. Stats.
- (4) Registration Suspension Program.
- a. The City shall participate in the Wisconsin Department of Transportation Traffic Violation and Registration Program as set forth in Sec. 345.28, Wis. Stats., and Wis. Adm. Code Trans. 128 and all amendments or changes thereto.
- b. The Police Department is hereby designated as a delegated authority for purposes of Sections 85.13 and 345.28, Wis. Stats., and Wis. Adm. Code Trans. 128. The Police Department is authorized to perform, on behalf of the City, all functions required of a local authority under said Statutes and Code including, but not limited to:
1. Preparing and completing all forms and notices, notifying the Wisconsin Department of Transportation of unpaid citations for non-moving traffic violations;
 2. Specifying whether the registration of vehicles involved in unpaid citations for non-moving traffic violations should be suspended and/or whether registration should be refused for any vehicle owned by persons with unpaid citations for non-moving traffic violations;
 3. Determining the method by which the City will pay the Wisconsin Department of Transportation for administration of the program; establishing the effective date for participation;
 4. And taking such other action as is necessary to institute and continue participation in the Wisconsin Department of Transportation Traffic Violation and Registration Program.
- c. The Chief of Police is hereby authorized to assign a member of the Police Department to perform such acts as are necessary to effectuate this Subsection.
- d. In addition to all applicable fines and court costs, the cost of using the Wisconsin Department of Transportation Traffic Violation and Registration Program shall be assessed as permitted by Sec. 345.28(4)(d), Wis. Stats. The Police Department may refuse to notify the Wisconsin Department of Transportation of payment on a citation

until all applicable fines and costs, including costs assessed under the preceding sentence, are paid.

- e. This Subsection shall not be interpreted as requiring that all unpaid citations for non-moving traffic violations be processed through the Wisconsin Department of Transportation Traffic Violation and Registration Program. The City's participation in such program shall be in addition to any and all other means legally available to enforce such citations.

State Law Reference: Sec. 345.28, Wis. Stats.; Chapter Trans. 128, Wis. Adm. Code.

CHAPTER 2

Bicycles and Play Vehicles

- 10-2-1 Definitions
- 10-2-2 Lighting and Other Equipment
- 10-2-3 Rules of the Road
- 10-2-4 Play Vehicles
- 10-2-5 Bicycle Registration and Operation
- 10-2-6 Bicycle Penalties
- 10-2-7 Play Vehicle Penalties
- 10-2-8 Regulation of Skateboards, In-Line Skates (Rollerblades and Rollerskis) and Rollerskates

SEC. 10-2-1 DEFINITIONS.

As used in this Chapter:

- (a) BICYCLE means every device propelled by the feet acting upon pedals and having wheels, any two (2) of which are not less than fourteen (14) inches in diameter.
- (b) BICYCLES' LANE means that portion of a roadway set aside for exclusive use of bicycles and so designated by appropriate signs and markings by the responsible governing body.
- (c) BIKE ROUTE means any bicycle lane, bicycle way or highway which has been duly designated by the responsible governing body and identified by appropriate signs and markings.
- (d) BICYCLE WAY means any path or sidewalk, or portion thereof, designated for the use of bicycles by the responsible governing body.
- (e) CARRIER means any device attached to a bicycle designed for carrying articles.
- (f) RIGHT-OF-WAY means the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.
- (g) PLAY VEHICLES means any coaster wagon, sled, toboggan, unicycle, or battery or pedal toy vehicle upon which a person may ride.

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

No person shall operate a bicycle upon a highway unless equipped as required in Wis. Stat. Ch. 347.

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

The provisions of Chs. 346 and 347, Wis. Stats., and applicable City Ordinances shall govern the operation of bicycles where appropriate.

SEC. 10-2-4 PLAY VEHICLES.

- (a) **PLAY VEHICLE STREETS PROHIBITED.** No person shall operate or make use of a play vehicle on any street in the City of Park Falls.
- (b) **PLAY VEHICLE ON SIDEWALKS PROHIBITED.** Except for tricycles, coaster wagons, and similar vehicles for young children, no person shall operate or make use of a play vehicle on any sidewalk in the City of Park Falls in any block where a business, industry, church, school, library or park is located.
- (c) **PLAY VEHICLE AREAS PROHIBITED.** No person shall operate or make use of a play vehicle on any public parking lot, grounds, upon any private parking lot held out for public use or upon any private driveway or private property without the owner's express consent.
- (d) **RESPONSIBILITY OF PARENT OR GUARDIAN FOR VIOLATION OF PLAY VEHICLE REGULATIONS.** No parent or guardian of any child shall authorize or knowingly permit such child to violate any of the provisions of this Section
- (e) **DEFINITIONS.** As used in this Section, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:
 - (1) Play Vehicle. Any coaster wagon, skateboard, roller skates, sled, toboggan, unicycle or toy vehicle upon which a person may ride.

SEC. 10-2-5 BICYCLE REGISTRATION AND OPERATION.

- (a) It shall be unlawful for any person to operate a bicycle on any street or highway within the City of Park Falls unless said bicycle shall first have been properly registered and licensed as hereinafter provided.
- (b) Every owner or operator of a bicycle shall register such bicycle with the City Clerk-Treasurer on an application furnished by the City which shall include the name and address of the applicant, the name of the owner of the bicycle, the name of the manufacturer of the bicycle, the bicycle serial number, and general description.
- (c) The fee for such registration and license shall be Five Dollars (\$5.00) for as long as the bicycle is owned by such person. The license issued shall be a metallic identification plate which shall be stamped with a distinguishing number and the name of the City of Park Falls and shall be affixed to the rear seat of the bicycle for which it is issued so that it is visible to the rear at all times. Upon change of ownership of the bicycle, the license plate shall be transferred to the new owner upon proper allocation and upon payment of the transfer fee of One Dollar (\$1.00).
- (d) Bicycles are prohibited on sidewalks adjacent to the following streets:
 - (1) 1st Avenue South from Highway 182 to Division Street (alley by Park Mall);
 - (2) 1st Avenue North from Division Street to 1st Street North;
 - (3) 2nd Avenue from Highway 182 to 2nd Street North;
 - (4) 3rd Avenue South from Highway 182 to Division Street;
 - (5) Division Street from Highway 13 to 1st Avenue;
 - (6) 1st Street North from 3rd Avenue to 1st Avenue;
 - (7) All Public and Private property within the City of Park Falls, unless permission has been granted for operation by the owner of the property.

SEC. 10-2-6 BICYCLE PENALTIES.

- (a) Any person sixteen (16) years of age or older who shall violate any provision of this Chapter may be issued a Uniform Traffic Citation and be subject to the penalties provided by the Uniform State Traffic Deposit Schedule.
- (b) Any person fourteen (14) years of age through fifteen (15) years of age who shall violate any provisions of this Chapter may be issued a citation and be subject to the penalties provided by the Deposit Schedule and, upon conviction thereof, may be required to forfeit not more than Twenty-five Dollars (\$25.00), together with the cost of the prosecution and, in default of such payment, the Court may suspend the child's operating privileges, as defined in Sec. 340.01, Wis. Stats., for not less than thirty (30) days nor more than ninety (90) days.
- (c) Any person under fourteen (14) years of age who shall violate any provision of this Chapter may be issued a special Bicycle Violation Warning Notice along with the following additional actions:
 - (1) First offense in one (1) year: A warning letter sent to the parent or guardian.
 - (2) Second or third offense in the same year: The bicycle may be impounded by law enforcement authorities.
 - (3) Fourth and subsequent offense in the same year: Mandatory referral to Price County Juvenile Court.
- (d) Any parent or guardian of any child who authorizes or knowingly permits such child to violate any of the provisions of this Chapter may be subject to the provisions of Sections 346.77 and 346.82(1), Wis. Stats.

SEC. 10-2-7 PLAY VEHICLE PENALTIES.

- (a) Any person fourteen (14) years of age and over who shall violate any provisions of this Chapter may be issued a citation and be subject to the penalties provided by the deposit schedule and, upon conviction thereof, may be required to forfeit not more than Twenty-five Dollars (\$25.00), together with the costs of prosecution.
- (b) Any person under fourteen (14) years of age who shall violate any provisions of this Chapter may receive an officer's report warning notice along with the following additional actions:
 - (1) First offense in one (1) year: A warning letter sent to the parent or guardian.
 - (2) Second or third offense in the same year: The play vehicle may be impounded by law enforcement authorities.
 - (3) Fourth and subsequent offense in the same year: Mandatory referral to Price County Juvenile Court.
 - (4) Any parent or guardian of any child who authorizes or knowingly permits such child to violate any of the provisions of this Chapter may be subject to the provisions of Sections 346.77 and 346.82(1), Wis. Stats.

SEC. 10-2-8 REGULATION OF SKATEBOARDS, IN-LINE SKATES, (ROLLERBLADES AND ROLLERSKIS) AND ROLLERSKATES and NON-MOTORIZED SCOOTERS.

- (a) REGULATIONS. All on-street operation of skateboards, in-line skates (rollerblades and rollerskis), rollerskates, scooters and non-motorized scooters shall be conducted as far to the right of the traffic lane as possible, in a single file and flowing with traffic. All operations of these skateboards, in-line skates, rollerskates, and non-motorized scooters shall be during daylight hours unless the operator has a white light showing to the front and is wearing some type of reflective clothing or reflective strips on his/her clothing which can be seen from a distance of five hundred (500) feet to the rear and

side. Further, all operation shall be consistent with rules of the road established for bicycles. Skateboards, in-line skates, rollerskates, and non-motorized scooters shall be allowed on all City streets and sidewalks except for the following:

(b) PROHIBITED STREET, SIDEWALK, PARKS AND PRIVATE PROPERTY. The use of skateboards, in-line skates, rollerblades, rollerskis, rollerskates, and non-motorized scooters shall be prohibited on the following areas:

- (1) Highway 13 North and South to City limits;
- (2) Highway 182 from Highway 13 to east City limits;
- (3) County Trunk E from Highway 13 to Park Lane;
- (4) 1st Avenue South from Highway 182 to Division Street;
- (5) 1st Avenue North from Division Street to 1st Street North;
- (6) 2nd Avenue from Highway 182 to 2nd Street North;
- (7) 3rd Avenue South from Highway 182 to Division Street;
- (8) Division Street from Highway 13 to 1st Avenue;
- (9) 1st Street North from 3rd Avenue to 1st Avenue;
- (10) 1st Street South from Highway 13 to 5th Avenue; and
- (11) All alleys within the City of Park Falls.
- (12) All Public and Private property within the City of Park Falls, unless permission has been granted for operation by the owner of the property.

(c) MOTORIZED SCOOTER OPERATION. All operations of motorized scooters shall be during daylight hours unless the operator has a white light showing to the front and is wearing some type of reflective clothing or reflective strips on his/her clothing which can be seen from a distance of five hundred (500) feet to the rear and side.

1. Operation of motor scooters shall be prohibited on the following areas:

- a. All alleys between Highway 182 and 2nd Street North and Highway 13 and 1st Avenue North.
- b. All public and private property within the City of Park Falls, unless permission has been granted for operation by the owner of the property.

2. Motorized scooters shall be allowed on all City sidewalks except for sidewalks adjacent to the following streets:

- a. Highway 13 North and South to City limits;
- b. Highway 182 from Highway 13 to east City limits;
- c. County Trunk E from Highway 13 to Park Lane;
- d. 1st Avenue South from Highway 182 to Division Street (alley by Park Mall);
- e. 1st Avenue North from Division Street to 1st Street North;
- f. 2nd Avenue from Highway 182 to 2nd Street North;
- g. 3rd Avenue South from Highway 182 to Division Street;
- h. Division Street from Highway 13 to 1st Avenue;
- i. 1st Street North from 3rd Avenue to 1st Avenue; and
- j. 1st Street South from Highway 13 to 5th Avenue.

CHAPTER 3

Snowmobiles and All-Terrain Vehicles

- 10-3-1 Snowmobiles and All-terrain Vehicles
- 10-3-2 Applicability of Traffic Regulations to Snowmobiles
- 10-3-3 Operation Regulated
- 10-3-4 Unattended Vehicles
- 10-3-5 Operation on Sidewalks Prohibited
- 10-3-6 Snowmobile, All-Terrain Vehicle and Other Off-Highway Vehicle Operation Restricted
- 10-3-7 Snowmobile and All-Terrain Routes and Trails Designated
- 10-3-8 Penalty
- 10-3-9 Enforcement

SEC. 10-3-1 SNOWMOBILES AND ATVs.

Except as otherwise specifically provided in this Chapter, the statutory provisions describing and defining regulations with respect to snowmobiles set forth in Chs. 340 and 350, Wis. Stats., and with respect to all-terrain vehicles set forth in Ch. 23, Wis. Stats., are hereby adopted by reference and made part of this Chapter as if fully set forth herein. Acts required to be performed or prohibited by such Statutes are required or prohibited by this Chapter. Any future amendments, revisions or modifications of the Statutes incorporated herein by reference are intended to be made part of this Code of Ordinances.

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

No person shall operate a snowmobile or all-terrain vehicle upon any street, highway or alley within the City of Park Falls in violation of the traffic regulation provisions of Ch. 346, Wis. Stats.

SEC. 10-3-3 OPERATION REGULATED.

- (a) Snowmobiles or all-terrain vehicles operated on designated snowmobile routes or all-terrain vehicle routes over the public highway shall observe the rules of the road for motor vehicles set forth in Ch. 346, Wis. Stats., and this ordinance.
- (b) No person shall operate a snowmobile or all-terrain vehicle on any public right-of-way, highway, or area adjacent to residences within the City of Park Falls at a speed in excess of posted limits or if not posted, in excess of 25 m.p.h.
- (c) No person shall operate a snowmobile or all-terrain vehicle on private property within the City that is not owned or controlled by the operator without the express consent or permission of the owner of the property.
- (d) No person shall operate a snowmobile or all-terrain vehicle at imprudent speeds or in such a reckless manner so as to endanger the public or the operator of the snowmobile or all-terrain vehicle.

SEC. 10-3-4 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. 10-3-5 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, or upon any City street, except as specifically authorized by Section 10-3-7; however, a person may operate a snowmobile or all-terrain vehicle upon an undesignated route to obtain immediate access to an authorized area of operation as set forth in Section 10-3-7; however, no snowmobile or all-terrain vehicle shall be operated upon the streets of the downtown area of the City except upon specifically designated routes. For purposes of this Section, "downtown" area means that area North of Highway 182 to Second Street North and West of First Avenue North to Highway 13. This section does not apply to all-terrain vehicles or snowmobiles used in the course of law enforcement.

SEC. 10-3-6 SNOWMOBILE, ALL TERRAIN VEHICLE AND OTHER OFF-HIGHWAY VEHICLE OPERATION RESTRICTED.

- (a) **PERMITTING OPERATION BY IMPROPER PERSONS PROHIBITED.** No owner or person having charge or control of a snowmobile or all-terrain vehicle shall authorize or permit any person to operate such snowmobile or all-terrain vehicle who is not permitted under state law or city ordinance to operate such snowmobile or all-terrain vehicle or who is under the influence of an intoxicant or a dangerous narcotic drug.
- (b) **OPERATION WHILE UNDER INFLUENCE PROHIBITED.** Sections 350.101, 350.102, 350.1025, 350.103, 350.104, 350.106 and 350.107, Wis. Stats., shall apply to the operation of a snowmobile any place within the City. Sections 23.33(4c), 23.33(4g), 23.33(4j) 23.33(4l), 23.33(4p), 23.33(4t) and 23.33(4x), Wis. Stats., shall apply to the operation of an all-terrain vehicle any place within the City.
- (c) **AGE RESTRICTION.** A person operating a snowmobile or all-terrain vehicle within the corporate city limits of the City of Park Falls must be at least 18 years of age or accompanied by a parent/guardian.

SEC. 10-3-7 SNOWMOBILE AND ALL-TERRAIN VEHICLE ROUTES AND TRAILS DESIGNATED.

- (a) **ROUTES DESIGNATED.**
 - (1) Pursuant to the provisions of Sec. 350.04(2), Wis. Stats., there are designated as snowmobile routes in the City of Park Falls those highways designated by solid red or black lines on the map entitled, "Official Snowmobile Route, City of Park Falls, Wisconsin," dated November 6, 1997 as amended from the "Official Snowmobile Route, City of Park Falls, Wisconsin," dated November 21, 1978, and as amended by the "Official Snowmobile Route – City of Park Falls, Wisconsin," dated January 5, 1982, which map is made a part of this Section by reference. All notations and references shown on the map are as much a part of this Section as though specifically described herein, and said map shall be displayed in the City Clerk-Treasurer's office for the public to view.
 - (2) There are designated as all-terrain vehicle routes in the City of Park Falls, those Highways designated by solid red or black lines in the map entitled "Official ATV Route, City of Park Falls, Wisconsin," adopted by the Common Council on June 18, 1996, which map is made a part of this Section by reference. All notations and references shown on the map are as much a part of this Section as though specifically described herein, and said map shall be displayed in the City Clerk-Treasurer's office for the public to view.

- (b) **ROUTE MARKERS.** The Street Department is directed and authorized to procure, erect and maintain appropriate snowmobile and all-terrain vehicle route, trail and limit signs and markers as approved by the State Department of Natural Resources. The Chief of Police and/or Street and Water Superintendent shall have the power to declare the stated snowmobile and all-terrain vehicle routes and trails either open or closed.
- (c) **ROUTES TO BE OBEYED.** A person may not operate a snowmobile or an all-terrain vehicle on a non-designated route, nor not adhere to a route sign, marker or limit erected in accordance with this Section.
- (d) **ACCESS TO ROUTES.** Snowmobiles and all-terrain vehicles may access the routes set forth in this section by way of directing their snowmobile and/or all-terrain vehicle in such a manner as it would be the closest and most direct route to the designated routes as set forth herein from that persons dwelling or motel room. In addition, a person may operate their snowmobile and/or all-terrain vehicle on city streets other than Highway 13 and in accordance with Sec. 10-3-5 to come from an aforementioned designated route as designated herein to go directly to or from:
 - (1) the operators dwelling or motel room;
 - (2) a service station, restaurant, tavern, store or business;
 - (3) operators place of employment; or
 - (4) lawn care or snow plowing duties.

The section does not apply to all-terrain vehicles or snowmobiles used in the course of law enforcement.

Cross Reference: Section 10-4-4.

SEC. 10-3-8 PENALTY.

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

SEC. 10-3-9 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 10, Chapter 1, of this Code of Ordinances shall be used for enforcement of violations of rules of the road relating to parking of vehicles adopted by reference in Section 10-3-1 of this Chapter.
- (c) **OTHER VIOLATIONS.** All violations of this Chapter not described in Subsections (a) or (b) shall be enforced in accordance with Sections 66.0114 and 66.0111 of the Wisconsin Statutes. Stipulations of guilt or no contest may be made as provided in Sec. 66.0114(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. 66.0114, Wis. Stats. Such deposits shall include the Clerk's fee and costs of prosecutions.

- (d) **POLICE DEPARTMENT TO RECEIVE STIPULATIONS AND PENALTIES.** Stipulations, forfeited penalties and deposits for obtaining release from arrest authorized under this Chapter may be accepted at the Police Department offices.
- (e) **FORFEITED PENALTIES AND DEPOSITS.** Except as otherwise provided in Sec. 345.26, Wis. Stats., and the deposit schedule adopted by the State Board of Circuit Court Judges thereunder, required penalties and deposits or bail not including costs or fees for violation of this Chapter shall be as established by the schedule adopted by the Common Council.
- (f) **APPLICABILITY TO ALL-TERRAIN VEHICLES.** The aforementioned provisions contained in this Section shall also apply to all-terrain vehicles.

CHAPTER 4

All-Terrain Vehicles and Off-Road Motor Vehicle Operation

10-4-1 State All-Terrain Vehicle Laws Adopted

10-4-2 Unauthorized Operation of Motor Vehicles on Public or Private Property

10-4-3 Designation of State Highway Bridge

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

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

- 23.33(2) Registration
- 23.33(3) Rules of operation [including Subsections (a) through (i)]
- 23.33(4) Operation on or near highway [including Subsections (a) through (e)]
- 23.33(6) Equipment requirements [including Subsections (a) through (e)]
- 23.33(7) Accidents [including Subsections (a) and (b)]
- 23.33(1) Definitions [including Subsections (a) through (n)]

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

- (a) Purpose.
 - (1) The unauthorized off-road operation of motor vehicles has resulted in serious damage to public and private lands including damage or destruction of vegetation, animal life and improvement to the lands; and
 - (2) The unauthorized off-road operation of motor vehicles has resulted in the permanent scarring of land and an increase in both erosion and air pollution; and
 - (3) The unauthorized off-road operation of motor vehicles has resulted in collisions and near collisions threatening the life and safety of the operators of such vehicles as well as of other persons; and
 - (4) The unauthorized off-road operation of motor vehicles has resulted in a loss of privacy, quietude and serenity to which the owners and users of land are rightfully entitled.
- (b) Definitions. For the purposes of this Section, the terms below shall be defined as follows:
 - (1) Unauthorized shall mean without the express prior consent of the owner, lessee, manager or other person authorized to give consent by the owner or lessee of land. Authorization shall not be implied from a failure to post private or public land.
 - (2) Off-Road shall mean any location which:
 - a. Is not a paved or maintained public street or alley; or
 - b. Is not used or maintained by the owner or lessee of land as a driveway, parking lot or other way for motor vehicles; or
 - c. Is a private trail for use only by the owner of his permittees for recreational or other vehicular use. Off-road shall not include any creekbed, riverbed or lake provided, however, that this Subsection shall not apply to snowmobiles or other vehicles being operated on the ice covering such creekbed, riverbed or lake.

- (3) Operation shall mean the physical manipulation or activation of any of the controls of a motor vehicle necessary to put it in motion.
- (4) Motor Vehicle shall mean, for purposes of this Section, any vehicle which is self-propelled and shall include but not be limited to automobiles, trucks, jeeps, vans, motorcycles, motorbikes, go-karts, motorized three-wheeled vehicles, all-terrain vehicles, mopeds, snowmobiles, dune buggies and tractors. Motor vehicle shall not mean any airplane, railroad train, boat, wheelchair or bicycle. A vehicle which would otherwise be defined as a motor vehicle under this Section shall not be so defined while:
 - a. It is being operated solely for the purpose of construction or maintenance of an improvement to land or solely for access to construction or maintenance sites provided such operation is by persons having legitimate business on such lands or sites;
 - b. It is being operated by or at the direction of public employees or utility company employees as part of their employment duties;
 - c. It is being operated by the holder of an easement or right of access on or over the land which operation is occurring or the holder's employees or agents.
- (c) Unauthorized Off-Road Operation Prohibited.
 - (1) The unauthorized off-road operation of a motor vehicle is prohibited.
 - (2) Except for authorized maintenance vehicles and snowmobiles or all-terrain vehicles operating in areas authorized by the Common Council, it shall be unlawful to operate any minibike, go-kart, all-terrain vehicle or any other motor-driven craft or vehicle principally manufactured for off-highway use on the City streets, alleys, parks, sidewalks, bikeways, parking lots or on any public lands or private lands or parking lots held open to the public. The operator shall at all times have the written consent of the owner before operation of such craft or vehicle on private lands.

SEC. 10-4-3 DESIGNATION OF STATE HIGHWAY BRIDGE.

- (a) Park Falls authorizes the operation of all-terrain vehicles and utility terrain vehicles on the highway bridges listed in Subsection B below. Any person crossing such bridge shall comply with the following requirements:
 - (1) Cross the bridge in the most direct manner practicable and at a place where no obstruction prevents a quick and safe crossing;
 - (2) Stay as far to the right of the roadway or shoulder as practicable;
 - (3) Stop the vehicle prior to the crossing;
 - (4) Yield the right-of-way to other vehicles, pedestrians, and electric personal assistive mobility devices using the roadway or shoulder; and
 - (5) Exit the highway as quickly and safely as practicable after crossing the bridge.
- (b) The following highway bridge shall be designated as a route for the operation of all-terrain vehicles and utility terrain vehicles within the meaning of this Ordinance:
 - (1) That portion of the highway bridge for State Highway 182 located in the City of Park Falls from the 3rd Avenue South intersection west to the Case Avenue intersection.

CHAPTER 5

Abandoned and Junked Vehicles

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

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

Abandoned and Junked Vehicles

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

SEC. 10-5-1 DEFINITIONS.

- (a) DEFINITIONS. For purposes of this Chapter, the following definitions shall be applicable:
- (1) Vehicle shall mean a motor vehicle, trailer, semitrailer or mobile home, whether or not such vehicle is registered under Wisconsin Law.
 - (2) Recreational Vehicle shall mean a machine propelled by power, other than human power, and designed to travel along the ground, air or water by use of wheels, treads, runners or slides and used to transport persons or property or to pull machinery, including, but not limited to, automobiles, trucks, trailers, motor homes, motorcycles, tractors, all terrain vehicles (ATV), all terrain utility vehicle (UTV), boats and aircraft.
 - (3) Unattended shall mean unmoved from its location with no obvious sign of continuous human use.
 - (4) Street shall mean any public highway or alley and shall mean the entire width between the boundary lines of any public way where any part thereof is open to the public for purposes of vehicular traffic.
 - (5) Enclosed Building shall mean a building with roof and walls constructed so that the contents cannot be visible from any street or alley
 - (6) Disassembled, inoperable, junked, or wrecked motor vehicles, truck bodies, tractors, trailers as used in this Section includes the following, but such enumeration shall not be construed to

exclude other items: motor vehicles, recreational vehicles, truck bodies, tractors, farm machinery or trailers in such state of physical or mechanical ruin as to be incapable of propulsion, being operated upon the public streets or highways or which is otherwise not in safe or legal condition for operation on public streets or highways due to missing or inoperative parts, flat or removed tires, expired or missing license plates or other defects.

- (2) Unlicensed - motor vehicles, truck bodies, tractors or trailers as used in this Chapter is defined as follows: motor vehicles, truck bodies, tractors, recreational vehicles or trailers which do not bear lawful current license plates.
- (3) Motor vehicle is defined in Sec. 340.01(35), Wis. Stats.

SEC. 10-5-2 ABANDONED VEHICLES.

- (a) **ABANDONMENT OF VEHICLES PROHIBITED.** No person shall leave unattended any motor vehicle, trailer, semitrailer or mobile home on any public street or highway or private or public property in the City of Park Falls 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 Park Falls 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.
- (b) **PRESUMPTIONS.** For purposes of this Section, the following irrebuttable presumptions shall apply:
 - (1) A vehicle shall be presumed unattended if it is found in the same position seventy-two (72) hours after issuance of a traffic ticket, citation or tow sticker and if such traffic ticket, citation or tow sticker remains placed upon the windshield during said seventy-two (72) hours.
 - (2) Any vehicle left unattended for more than seventy-two (72) hours on any public street or public ground or left unattended for more than seventy-two (72) hours on private property without the consent of the property owner is deemed abandoned and constitutes a nuisance; provided, that the vehicle shall not be deemed abandoned under this Subsection if left unattended on private property outside of public view and is enclosed within a building, or if designated as not abandoned by the Chief of Police.
- (c) **EXCEPTIONS.** This Section shall not apply to a vehicle in an enclosed building or a vehicle stored on a premises licensed for storage of junk or junked vehicles and fully in compliance with City zoning regulations, or to a vehicle parked in a paid parking lot or space where the required fee has been paid.

SEC. 10-5-3 REMOVAL AND IMPOUNDMENT OF VEHICLES.

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

SEC. 10-5-4 REMOVAL, STORAGE, NOTICE OR RECLAIMER OF ABANDONED VEHICLES.

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

- (1) Any police officer who discovers any motor vehicle, trailer, semitrailer or mobile home on any public street or highway or private or public property in the City of Park Falls which has been abandoned shall cause the vehicle to be removed to a suitable place of impoundment.
 - (2) Upon removal of the vehicle, the police officer shall notify the Chief of Police or his designee of the abandonment and of the location of the impounded vehicle.
- (c) STORAGE AND RECLAIMER. Any abandoned vehicle which is determined by the Chief of Police or his designee to be abandoned shall be retained in storage for a period of fourteen (14) days after certified mail notice, as hereinafter provided, has been sent to the Wisconsin titled owner and/or secured party of record with the Wisconsin Motor Vehicle Division, except that if the Chief of Police or his designee determines an abandoned vehicle to have a value of less than One Hundred Dollars (\$100.00), or that the cost of towing and storage charges for impoundment will exceed the value of the vehicle, it may be junked or sold by direct sale to a licensed salvage dealer after having been retained in storage for a period of seven (7) days and after certified mail notice, as hereinafter provided, has been sent to the Wisconsin titled owner or secured party of record with the Wisconsin Motor Vehicle Division, provided that it is first determined that the vehicle is not reported stolen or wanted for evidence or other reason. All substantially complete vehicles in excess of nineteen (19) model years of age shall be deemed as having a value in excess of One Hundred Dollars (\$100.00). Any such vehicle which may be lawfully reclaimed may be released upon the payment of all accrued charges, including towing, storage and notice charges and upon presentation of the vehicle title or other satisfactory evidence to the Chief of Police or his designee to prove an ownership or secured party interest in said vehicle.
- (d) NOTICE TO OWNER OR SECURED PARTY. Certified mail notice, as referred to herein, shall notify the Wisconsin titled owner of the abandoned vehicle, if any, and/or the secured party of record with the Wisconsin Motor Vehicle Division, if any, of the following:
- (1) That the vehicle has been deemed abandoned and impounded by the City of Park Falls;
 - (2) The "determined value" of the abandoned vehicle;
 - (3) If the cost of towing and storage costs will exceed the determined value of the vehicle;
 - (4) That if the vehicle is not wanted for evidence or other reason, the vehicle may be reclaimed upon the payment of all accrued charges, including towing, storage and notice charges, within fourteen (14) days of the date of notice, unless the vehicle has been determined to have a value less than One Hundred Dollars (\$100.00) or that the cost of towing and storage charges for impoundment will exceed the value of the vehicle, in which case the vehicle may be reclaimed within seven (7) days upon the payment of the aforesaid charges; and
 - (5) That the owner or aforesaid secured party may, upon request, be granted a hearing relating to the determinations made with respect to said vehicle within the period that such vehicles may be reclaimed.

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

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

SEC. 10-5-6 REPORT OF SALE OR DISPOSAL.

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

SEC. 10-5-7 OWNER RESPONSIBLE FOR IMPOUNDMENT AND DISPOSAL COSTS.

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

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

SEC. 10-5-8 CONFLICT WITH OTHER CODE PROVISIONS.

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

SEC. 10-5-9 JUNKED VEHICLES ON PRIVATE PROPERTY.

(a) No person shall park or permit any other person to park on private property any more than two (2) of the following:

- (1) Unregistered motor vehicle
- (2) Motor vehicle with an expired registration
- (3) Disassembled, inoperable, junked or wrecked:

- I. Motor vehicle including but not limited to car, truck or van
- ii. Trailer
- iii. Tractor

- iv. Camper
- v. ATV or UTV
- vi. Snowmobile
- vii. Lawn tractor
- viii. Lawn mower
- ix. Rototiller
- x. Snowblower
- xi. Motor home
- xiii. Semi-tractor
- xiv. Boat
- xv. Motor scooter
- xvi. Motorcycle
- xvii. Travel trailer

- (4) Parts to anything enumerated in subsection 10-5-9(a)(3) herein, including but not limited to, tires.

(b) EXCEPTIONS.

- (1) This Section shall not apply to any item enumerated in Section (a) herein that is stored within an enclosed building consisting of four (4) opaque walls, a roof and a door or on the premises of a business enterprise operated in a lawful place and manner in a properly zoned area where storage of these items is permitted.
- (2) This Section shall not apply to canoes or other nonmotorized watercraft that do not require a license and/or registration.

(c) ENFORCEMENT.

- (1) Whenever the Police Department shall find more than two (2) items/vehicles enumerated in Subsection (a) herein, on private property within the City, they shall notify the owner or occupant of said property on which said items are located/stored in violation of this Section.
- (2) If the owner or occupant of private property does not remove the items/vehicles as set forth in subsection (a) herein within five (5) days of the notice set forth in subsection (1) within five (5) days, the Police Department shall issue a citation to the property owner or tenant of the property upon which said items/vehicles are located.

- (d) PENALTY. Any person who is in violation of this Section or who shall interfere with the enforcement of any of the provisions of this Section and found guilty thereof shall be subject to a penalty as provided in Sections 1-1-7. Each item enumerated in subsection (a) herein in excess of two (2) shall constitute a separate offense and each day in violation of this Section shall constitute a separate offense.

State Law References: Sec. 342.40, Wis. Stats.

CHAPTER 6

Airport Vehicles

10-6-1 Airport Vehicles

SEC. 10-6-1 AIRPORT VEHICLES.

(a) **Definition of Words and Phrases.**

- (1) **PEDESTRIAN:** Any person afoot.
- (2) **VEHICLE:** Every device in, upon, or by which any person or property is or may be transported or drawn excepting aircraft.
- (3) **EMERGENCY EQUIPMENT:** Craft, fire, and rescue, or police motor vehicles, and such other equipment as the airport manager may designate as necessary to safeguard airport runways, taxiways, ramps, buildings and other property.
- (4) **SERVICE, MAINTENANCE AND CONSTRUCTION EQUIPMENT:** Approved equipment normally operated by Fixed Base Operator(s), 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 Park Falls.

- (b) **Operation of Vehicles on Runways, Taxiways and Ramps.** 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.

The provisions of this section shall not apply to emergency equipment or service, maintenance, and construction equipment when engaged in performing normal duties.

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 shall 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 10 miles per hour. They shall not, at any time, park a vehicle on any area used for the movement of aircraft.

- (c) **Speed of Vehicles.** 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, nor shall the driver of any vehicle fail to adhere to any sign posted to regulate vehicle traffic on or about the Park Falls Municipal Airport.
- (d) **Pedestrian Traffic on Airport.** No pedestrian shall be allowed beyond the administration area or upon the apron or aircraft tie-down area unless for the purpose

of embarking in or disembarking from an aircraft, or unless authorized by the airport manager. Pedestrian traffic is prohibited on taxiway, runways, and outlining areas of the airport except for those employees of the City, County, State, Federal Government, or contractors engaged in airport construction or maintenance work.

- (e) **Vehicle Parking.** All vehicles parked on the airport shall be parked in designated areas and in accordance with posted signs or other markings. The airport manager may move, or order the removal of, at the vehicle owner's expenses, any vehicle improperly parked.
- (f) **Enforcement.** It shall be the duty of the Police Department of the City of Park Falls, Wisconsin to enforce the provisions of this Ordinance.

CHAPTER 7

Locomotives

10-7-1 Locomotives

SEC. 10-7-1 LOCOMOTIVES

SECTION 4.20 CROSSING WARNINGS BY TRAINS

- (1) Except in emergencies, or if public safety requires, no person shall blow, sound or cause to be blown or sounded any whistle or horn on any locomotive within the corporate limits of the Village unless said locomotive is within one thousand three hundred and twenty (1320) feet (eighty rods) of an ungated crossing.
- (2) Bell to Ring. No railroad train or locomotive shall run over any public travelled grade crossing within the Village except where gates are operated or a flag man is stationed, unless the engine bell shall be rung continuously within three hundred and thirty (330) feet (twenty rods) of and until such crossing shall be reached.