

Chapter 373

VEHICLES AND TRAFFIC

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[HISTORY: Adopted by the Village Board of the Village of Lyndon Station as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Snowmobiles — See Ch. 339.

All-terrain and light utility vehicles — See Ch. 368.

ARTICLE I Traffic Regulations

[Adopted 10-25-1957 by Ord. No. 22A]

§ 373-1. State traffic laws adopted. [Amended 8-9-1982 by Ord. No. 70]

- A. Except as otherwise specifically provided in this article, the statutory provisions in Chs. 340 to 348, Wis. Stats., describing and defining regulations with respect to vehicles and traffic, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are adopted and, by reference, made a part of this article as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this article. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this article in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the state.
- B. State forfeiture statutes. Any forfeiture for violation of the state statutes adopted by reference shall conform to the forfeiture permitted to be imposed for violation of such statutes as set forth in the Uniform Deposit and Misdemeanor Bail Schedule of the

Wisconsin Judicial Conference, including any variation or increase for subsequent offenses, which schedule is adopted by reference.¹

§ 373-2. Parking limitations.

- A. When signs are erected in any block giving notice thereof, no person shall park a vehicle for longer than the period therein specified, and all vehicles shall be parked in accordance with the restrictions contained on said signs and within the appropriate lines as indicated.
- B. No person shall park or leave standing any vehicle contrary to any existing ordinance with respect to all-night parking and with respect to any other specific limitations.

§ 373-3. Vehicular weight limitations.

All streets and alleys within the Village of Lyndon Station, except those heretofore otherwise designated, are hereby designated Class "B" highways and shall be subject to the weight limitations imposed by § 348.16, Wis. Stats.

§ 373-4. Erection of official signs and signals. ²

The Director of Public Works and the Chief of Police are hereby authorized and directed to procure, erect and maintain appropriate standard traffic signs, signals and markings conforming to the rules of the State Department of Transportation giving notice of the provisions of this article. Signs shall be erected in such locations and manner as authorized by the governing body so as to give adequate warning to users of the street, alley or highway in question. No provision in this article shall be enforced unless and until such signs are erected and in place and sufficiently legible to be seen by an ordinarily observant person.

§ 373-5. Violations and penalties.

- A. Any person who shall violate any of the provisions of this article shall, upon conviction thereof, forfeit not less than \$1 nor more than \$200 together with the costs of prosecution and in default of payment of the forfeiture and costs of prosecution shall be imprisoned in the county jail until said forfeiture and costs are paid, but not exceeding 90 days.
- B. The provisions of § 345.60, Wis. Stats., shall apply to adjudications of violations of any provisions of this article.

1. Editor's Note: Original § 2, Speed limits, which immediately followed this section, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

§ 373-6. Enforcement.

- A. Stipulation of guilt. Any police officer of the Village, upon request of any person charged with a violation of any provision of this article, within 48 hours after issuance of a citation therefor, may accept a written stipulation of guilt and required penalty from such person. Stipulations shall conform to the form contained on the uniform ordinance citation.³
- B. Forfeited penalty. The sum to be forfeited pursuant to the stipulation for violation of this article shall be as provided in the schedule of penalties established by the Village Board.⁴
- C. Forfeitures to Clerk-Treasurer. The officer accepting forfeited penalties shall deliver them to the Village Clerk-Treasurer at least once in each seven days.
- D. Bail bonds. Nothing in this section shall be construed to limit the right of the proper authorities to accept bail bonds, deposits or certificates or money deposits as provided in § 66.0111, Wis. Stats.
- E. Stipulation of notice. Any official accepting a stipulation of guilt or bail under the provisions of this section shall comply with the provisions of §§ 343.28, 345.26(1)(a) and 345.27(2), Wis. Stats., and shall inform the accused of the effect of a stipulation of guilt or a forfeiture of bail. Such stipulation of notice shall be in substantially the form contained on the uniform traffic citation.⁵

ARTICLE II**Stopping, Parking and Standing**

[Adopted 12-14-1982 by Ord. No. 72; amended in its entirety 2-14-1994]

§ 373-7. Authority of Chief of Police. ⁶

Pursuant to § 349.13, Wis. Stats., the authority to regulate the stopping, standing or parking of vehicles within the Village is delegated to the Chief of Police, subject to the control of the Village Board and subject to express regulations contained herein. The Chief, with the cooperation of the Department of Public Works, is hereby authorized to designate and sign streets, or portions thereof, where, in the opinion of the Chief, the stopping, standing or parking of vehicles should be regulated to promote and protect the safe, convenient and efficient use of Village streets. Any prohibition, limitation or restriction on stopping, standing or parking imposed by the Chief is effective if the official traffic sign or marker has been placed or erected at or reasonably near the regulated area, indicating the particular prohibition, limitation or restriction.

3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

5. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

6. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

§ 373-8. Traffic signs and markers.

No person shall stop, leave standing or park a vehicle on any Village street, alley, parking lot or portion thereof contrary to any prohibition, limitation or restriction imposed by a traffic sign or marker which has been placed or erected by the Village at or reasonably near the regulated area.

§ 373-9. Designated parking spaces. ⁷

The Chief of Police, in cooperation with the Department of Public Works, is hereby authorized to paint lines or markings on the curbs, streets or parking lot surfaces for the purpose of designating parking spaces. It shall be unlawful to park any vehicle across any line or marking or to park a vehicle in such position that the vehicle shall not be entirely within the area designated by such lines or markings. It shall also be unlawful to park in a designated parking space any vehicle which cannot fit within one designated space, except when such vehicle is temporarily parked solely for the purpose of loading or unloading freight to or from an adjoining premises.

§ 373-10. Other designated areas.

In addition to the foregoing prohibitions, there shall be no parking any time wherever indicated by one of the following:

- A. Traffic signs placed or erected at or reasonably near the area in which there is to be no parking; or
- B. Yellow paint on the curb or road edge at or next to the area in which there is to be no parking.

§ 373-11. Winter parking. ⁸

No person shall park or leave standing any vehicle on North Wisconsin Street between Flint Street and Julius Street and on South Wisconsin Street from Flint Street for a distance of 125 feet, and on North Juneau Street between Flint Street and Julius Street between the hours of 2:30 a.m. and 7:00 a.m. during the period from December 1 in each calendar year to April 1 in the following calendar year. Any person's vehicle found to be in violation will be subject to towing at the owner's expense and at the discretion of the Police Department and/or Director of Public Works.

§ 373-12. Owner of vehicle liable.

When any vehicle is found upon a street, alley or parking lot in violation of any provision of this article regulating the stopping, standing or parking of vehicles, and when the identity of the operator of such vehicle cannot be readily determined, the owner, as shown by the

7. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

8. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

ownership registration of the vehicle supplied by the Wisconsin Department of Transportation or comparable authority of any other state, shall be deemed to have committed the violation for purposes of the enforcement this article and shall be subject to the applicable forfeiture.

§ 373-13. Abandoned vehicles,

In addition to the requirements of § 342.40, Wis. Stats., the following requirements apply:

- A. **Presumption of abandonment.** Whenever one of the following conditions exist, a vehicle shall be deemed to have been abandoned within the meaning of this section:
- (1) Whenever any vehicle, whether operative or inoperative, has been parked in the same place on any public street, alley, parking lot or property for more than 72 hours;
 - (2) Whenever any vehicle, whether operative or inoperative, has been parked in the same place and remains on any Village parking lot, or signed area, in violation of the parking prohibition, limitation or restriction regarding such area, for more than a period of 24 hours; or
 - (3) Whenever any vehicle, whether operative or inoperative, has been parked on any private property, without the permission of the owner or lessee, for more than a period of 48 hours.

§ 373-14. Penalties for parking violations.

The forfeiture for any parking violation shall be as hereinafter provided in addition to any costs associated with prosecution thereof which are recovered or authorized by state statute or administrative regulation:

- A. Five dollars if paid within five days of the issuance of the parking violation citation;
- B. Ten dollars if paid more than five days after issuance of the parking violation citation but before the mailing of the first notice required by § 345.28, Wis. Stats.;
- C. Fifteen dollars if paid after the mailing of the first notice required by § 345.28, Wis. Stats., but before the mailing of the second notice required by § 345.28, Wis. Stats.;
- D. Twenty dollars if paid after mailing the second notice required by § 345.28, Wis. Stats., but before the mailing of the notice of suspension to the Wisconsin Department of Transportation; and
- E. Twenty-five dollars if paid after the mailing of the notice of suspension to the Department of Transportation required by § 345.28, Wis. Stats.

§ 373-15. Removal of vehicles. ⁹

9. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

When any vehicle is found upon a street, alley or parking lot in violation of any provision of this article regulating the stopping, standing or parking of vehicles, such vehicle will be subject to towing at the discretion of the Police Department or Director of Public Works and at the owner's expense.