



TOWN OF HARTFORD, WISCONSIN

MUNICIPAL CODE

TRAFFIC CODE

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II. ORDINANCES

7.01 STATE TRAFFIC ADOPTED.

Except as otherwise specifically provided in this chapter, 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 hereby adopted and, by reference, made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this chapter. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this chapter in order to secure uniform State-wide regulation of traffic on the highways, streets and alleys of the State of Wisconsin.

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

(1) DUTY OF TOWN DEPARTMENT OF PUBLIC WORKS TO ERECT AND INSTALL UNIFORM TRAFFIC CONTROL DEVICES.

(a) Whenever traffic regulations created by this chapter, including a State traffic regulation, adopted by reference in sec. 7.01 of this chapter, require the erection of traffic control devices for enforcement, the Town Board, shall cause the procurement, installation and maintenance 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 Town Chairperson, will carry out the purposes of this chapter and give adequate warning to users of the streets and highways of the Town.

(2) OFFICIAL TRAFFIC MAP.

(a) Official Traffic Map Established. There is hereby established for the Town of Hartford an Official Traffic Map dated September 15, 1993, on which is indicated as of said date all existing stop signs. All such restrictions and limitations set forth on said Official Traffic Map are hereby adopted by reference.

(b) Additions to Map. The Town Board may, from time to time, make additions to or deletions from the Official Traffic Map and the Town Clerk shall keep such Official Traffic Map current. Every addition to said Official Traffic Map made after September 15, 1993, shall indicate the number of the authorizing resolution and the date the appropriate official traffic control device was erected, and every deletion shall indicate the number of the authorizing resolution.

(c) Map to Be Maintained. The official Traffic Map shall be maintained and displayed in the office of the Town Clerk. The Clerk shall make appropriate authorized changes on said Map within 3 working days after the appropriate official traffic control device is erected or removed, as the case may be.

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

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

4) REMOVAL OF UNOFFICIAL SIGNS, SIGNALS, MARKERS AND TRAFFIC CONTROL DEVICES. The Town Chairperson shall cause to be removed any sign, signal, marker or other device which is placed, maintained or displayed in violation of this chapter or State law. Any charge imposed against premises for removal of a prohibited or illegal sign, signal, marker or device shall be reported by the Town Chairperson to the Town Board 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.

7.03 STOP AND YIELD SIGNS. In the interest of public safety, the Town Board, by resolution, has designated the location of stop and yield signs. within the Town and has ordered the installation of such signs. In addition, the location of such signs is designated on the Official Traffic Map of the Town pursuant to sec. 7.02 of this chapter.

7.04 SPEED LLIMITS DECREASED. The Town Board hereby determines that the statutory speed limits on the following streets and highways or portions thereof are unreasonable, unsafe and imprudent and decreases such speed limits as follows:

- 1) 25 MILES PER HOUR. (Sec. 22 and 23).

(a) Pike Lake (Northwest Shore(e))

1. High Road
2. First Street
3. Second Street
4. Lake Drive
5. North Avenue

(b) Pike Lake (Southwest Shore(e)) (Sec. 27 and 28)

1. South Bay Road
2. East Eagle Point Road
3. Shady Lane

(c) Simon's Pleasant Valley Subdivision (Sec. 27)

1. Simon Drive
2. Valley View Road
3. Cherry Hill Road

(d) Hillcrest Estates Subdivision (Sec. 32)

1. Lark Avenue
2. Meadowdale Drive
3. Robin Circle
4. Hillcrest Drive
5. Cedar Street, from Lee Road south to end of road

(e) Wyndridge Downs Subdivision

1. Hawthorne Lane
2. Daisy Court

(f) Westridge Acres Subdivision (Sec. 20)

1. Valley Court
2. Clifford Drive

(g) Overlook Meadows Subdivision (Sec. 33)

1. Meadow Lane
2. Lee Road, from STH 83 east to end of road

(h) Druid Lake (Sec. 31)

1. Clearwater Beach Road

(i) Parkview Heights Subdivision (Sec. 26}

1. Glassgo Drive, from CTH E north to end of road
2. Rolaine Parkway
3. Parkview Drive
4. Old Oak Road
5. Park Lane
6. Sunset Lane
7. Oak Lane

(j) Woodstone Subdivision (Sec. 25}

1. Woodstone Drive
2. Cobble Court
3. Paradise Lane

(k) Franklin Drive (Sec. 23}

- (1) Lakeview Acres Subdivision (Sec. 23)
 - 1. Teri Lane
- (m) Wayside Drive (Sec. 22)
- (n) Pheasant Run Subdivision (Sec. 16)
 - 1. Pheasant Run Road
- (o) Fullpail Heights Subdivision (Sec. 15)
 - 1. Ernst Drive
 - 2. Logan Road
- (p) Hilldale Park Subdivision (Sec. 15)
 - 1. Cricket Drive
 - 2. Sunrise Court
- (q) County Farms Subdivision (Sec. 13)
 - 1. Thornapple Road
 - 2. Stonefield Road
 - 3. Brandywine Court
- (r) Edgewood Subdivision (Sec. 13)
 - 1. Elaine's Way
 - 2. Queen's Way
 - 3. King's Way
 - 4. Royal Avenue
- (s) Kettle View Subdivision (Sec. 13)
 - 1. Kettle View Court
 - 2. Kettle View Drive
- (t) Hilldale Road, from Kettle Moraine Drive east to Elaine's Way (Sec. 13)
- (u) Meadow View Acres Subdivision (Sec. 12)
 - 1. Meadow View Drive
 - 2. Meadow View Court
- (v) Echo Glen Estates Subdivision (Sec. 12)
 - 1. Bon Maur Terrace
 - 2. Kengary Court
- (w) Bramble Wood Subdivision (Sec. 11)
 - 1. Bramble Wood Drive
 - 2. Magnolia Court
 - 3. Honeysuckle Lane
 - 4. Shagbark Lane
- (x) Clearview Subdivision (Sec. 9)
 - 1. Mueller Drive
 - 2. Clover Road, from S.T.H. 83 west to end of Clover Road
- (y) Kettle Moraine Road, from its intersection with STH 60 southerly to a point 0.30 of a mile north (Sec. 24).

(2) 35 MILES PER HOUR

(a) Lee Road, from its intersection with Cedar Street westerly to its intersection with Elmwood Road.

(b) Powder Hill Road, from its intersection with STH 60 southerly for a distance of approximately 1.0 mile.

(c) Pond Road, from its intersection with STH 60 westerly for a distance of approximately .3 of a mile.

(d) Spur Road between Kettle Moraine Road and STH 175.

(3) 40 MILES PER HOUR

(a) East Monroe Street, from the east corporate limits of the City of Hartford easterly to its intersection with CTH K.

(4) 45 MILES PER HOUR

(a) Hilldale Drive, from the north corporate limits of the City of Hartford northerly and easterly to its intersection with Kettle Moraine Road.

(b) Lee Road, from its intersection with Elmwood Road westerly to its intersection with Taylor Road.

(c) Pond Road, from a point .3 of a mile west to its intersection with STH 60 southerly and westerly to its intersection with Taylor Road.

(d) All of Hall Road.

(e) Arthur Road, from STH 175 easterly to the Town limits. (f) Taylor Road, from a point .3 of a mile north of its intersection with Waterford Road southerly to the Town limits.

7 .05 PARKING REGULATIONS.

(1) **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, upon any of the following highways or parts of highways:

(a) Clearwater Beach Road, from Waterford Road south to the Town limits.

(b) North Avenue

(c) Lake Drive

(d) First Street

(e) Second Street

(f) High Road, from its intersection with the south corporate limits of the City of Hartford to Second Street.

- (g) Franklin Drive, except that parking is permitted between the hours of 6:00 P.M. and 6:00 A.M.
- (h) Glassgo Drive north of Parkview Drive.
- (i) Rolaine Parkway north of Parkview Drive.
- (j) Kettle Moraine Road southerly from S.T.H. 60, a distance of .8 of a mile.
- (k) Parking shall be prohibited in front of U. S. Postal Service mail delivery boxes and within 15 feet of either side of such mail delivery box. Appropriate signs shall be posted.
- (1) On South Bay Road, Shady Lane, and Eagle Point Road at Pike Lake there shall be no parking on the pavement. . Appropriate signs shall be posted

(2) MISCELLANEOUS PARKING RESTRICTIONS.

- (a) Parking During Snow Removal. No person shall park, place or leave standing any automobile, truck or other vehicle on any street or public way after one hour from the time such area has been designated and marked with signs or barriers by an agent of the Town indicating no parking due to snow removal. The Town Board hereby declares no parking due to snow removal. The Town Board hereby declares that an emergency exists during and following a snow storm until the snow from the storm has been removed; therefore this paragraph shall be controlling over any other ordinance which might in any way conflict.
- (b) Street Maintenance. Whenever it is necessary to clear or repair a Town roadway or any part thereof, the Town shall post such highways or parts thereof with signs bearing the words "No Parking- Street Maintenance Work." Such signs shall be erected at least 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.
- (c) 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 upon which such permission of the owner or lessee of the property upon which such driveway is located, whether or not such driveway is posted to limit or restrict parking.
- (d) Parking Vehicles With Motor Running. No person shall park or leave standing any motor vehicle with the motor or refrigerator unit running for more than 5 minutes within 300 feet of any residence within the Town between the hours of 10:00 P.M. and 7:00 A.M.
- (e) Motorcycle Parking Only. No person shall park or leave standing any motor vehicle except motorcycles within 300 feet of the front door of the Rustic Inn.

(3) PENALTIES. Any person who violates the provisions of this subsection shall be penalized as provided in Section 7.12 and Section 25.04 (1)(c).

7.06 CLASSIFICATION OF AND WEIGHT LIMITATIONS ON TOWN HIGHWAYS.

(1) SPECIAL WEIGHT LIMITATIONS.

- (a) Established.

1. A special vehicle weight limitation of 4 tons is hereby imposed on Turtle Road.
2. A special vehicle weight limitation of 6 tons is hereby imposed on Hilldale Drive from Kettle Moraine Drive to the Slinger village limits.
3. No truck or vehicle which has a combined vehicle load weight in excess of twelve (12) tons shall be operated on any of the following streets:
 - (a) Hall Road
 - (b) Spur Road
 - (c) Hilldale Drive from Kettle Moraine Road to Hartford City limits.
 - (d) Monroe Street from Highway K to Hartford City Limits
 - (e) Wayside Drive

(b) Exemptions. The Town Chairperson is hereby empowered to exercise the discretion authorized by §349.16(3), Wis. Stats., to exempt vehicles carrying certain commodities such as construction materials and fuel from the limitation imposed by par. (a) above, or to set different weight limitations than those imposed by par. (a) above for vehicles carrying such commodities if, in the judgment of the Chairperson, the exemption or limitation is reasonable and necessary to promote the public health, safety and welfare.

- (c) Penalty. Any person who shall violate this subsection may be penalized as follows:
1. If the weight exceeds by 1,000 pounds or less the maximum set forth in par. (a) above, a forfeiture of not less than \$50 nor more than \$100 upon the first conviction together with the costs of prosecution and, upon the second and each subsequent conviction within a 12 month period, a forfeiture of not less than \$100 nor more than \$200 plus the costs of prosecution.
 2. If the weight exceeds by more than 1,000 pounds the maximum posted as provided in par. (a) above, the forfeiture shall be computed according to the following schedule:
 1. For the first conviction, a forfeiture of not less than \$50 nor more than \$200 plus an amount equal to whichever of the following applies:
 - a. One cent for each pound of total excess load when the total excess is not over 2,000 pounds.
 - b. Three cents for each pound of total excess load if the excess is over 2,000 pounds and not over 3,000 pounds.
 - c. Five cents for each pound of total excess load if the excess is over 3,000 pounds and not over 4,000 pounds.
 - d. Eight cents for each pound of total excess load if the excess is over 4,000 pounds and not over 5,000 pounds.
 - e. Fifteen cents for each pound of total excess load if the excess is over 5,000 pounds.
 2. For the 2nd and each subsequent conviction within a 12-month period, a forfeiture of not less than \$100 nor more than \$300, plus an amount equal to whichever of the following applies:
 - a. Two cents for each pound of total excess load when the total excess is not over 2,000 pounds.
 - b. Five cents for each pound of total excess load if the excess is over 2,000 pounds and not over 3,000 pounds.
 - c. Eight cents for each pound of total excess load if the excess is over 3,000 and not over 4,000 pounds.
 - d. Twelve cents for each pound of total excess load if the excess is over 4,000 pounds and not over 5,000 pounds.
 - e. Eighteen cents for each pound of total excess load if the excess is over 5,000 pounds

3. In determining whether a second or subsequent conviction within a given 12-month period, the judgment by an appellate court, if judgment has been affirmed, may be counted. This method of counting is authorized to effectively reach the repetitious violator and to prevent misuse of the right of appeal for the purpose of forestalling imposition of the penalties provided by this section. Forfeiture of deposit or payment of a forfeiture is a conviction within the meaning of this subsection.

(2) TEMPORARY SEASONAL WEIGHT LIMITATIONS.

(a) The Town Chairperson is empowered to exercise the authority granted by §349.16(1), Wis. Stats., to impose temporary seasonal special weight limitations on any Town road or portion thereof which, because of weakness of the roadbed due to deterioration or climatic conditions or other special or temporary condition, would likely be seriously damaged or destroyed in the absence of such special imitations.

(b) Imposition of the special weight limitations authorized by par. (a) above shall be done by erecting signs on or along the highway on which it is desired to impose the limitation sufficient to give reasonable notice that a special weight limit is in effect and the nature of that limitation.

(c) The Town Chairperson is further empowered to exercise the discretion authorized by §349.16(3), Wis. Stats., to exempt vehicles carrying certain commodities such as construction materials and fuel from the limitations imposed by par. (a) above or to set different weight limitations than those imposed by par. (a) above for vehicles carrying such commodities if, in the judgment of the Chairperson, the exemption or limitation is reasonable and necessary to promote the public health, safety and welfare.

7.07 REMOVAL OF ILLEGALLY PARKED VEHICLES. Any vehicle parked or left standing upon a highway, street or alley or other public grounds in violation of any of the provisions of this chapter is declared to be a hazard to traffic and public safety. Such vehicle shall be removed by the operator, upon request of any law enforcement officer, to a position where parking, stopping or standing is not prohibited. Any peace officer, after issuing a citation in violation of this chapter, is authorized to remove such vehicle to a position where parking is not prohibited. 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 storage garage or rental parking grounds or any facility of the person providing the towing services. In addition to other penalties provided by sec. 7.12 of this chapter, the owner or operator of a vehicle so removed shall pay the cost of towing and storage.

7.08 ABANDONED VEHICLES.

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

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

(3) PRESUMPTION OF ABANDONMENT. Any vehicle left unattended for more than 48 hours

on any public street or grounds, or on private property where parking is prohibited, limited or restricted, without the permission of the owner or lessee, is deemed abandoned and constitutes a public nuisance; provided that the vehicle shall not be deemed abandoned under this section if left unattended on private property out of public view, by permission of the owner or lessee.

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

(5) REMOVAL AND IMPOUNDMENT OR SALE. Any vehicle found abandoned in violation of this chapter shall be impounded by a Town police officer until lawfully claimed or disposed of as provided in this section. If a Town police officer determines that towing costs and storage charges for 10 days, as provided in sub. (6) below, would exceed the value of the vehicle, the vehicle may be junked or sold prior to the expiration of the impoundment period upon determination by the police officer that the vehicle is not wanted for evidence or any other reason; provided that vehicles in excess of 19 model years of age shall be sold or disposed of only by auction sale or sealed bid in accordance with sub. (8) below.

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

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

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

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

(10) PURCHASER TO REMOVE VEHICLE. The purchaser of any vehicle on sealed bid or auction sale under sub. (8) above shall have 10 days to remove the vehicle from the storage area upon payment of a storage fee of the actual cost of commercial storage for each day the vehicle has remained in storage after the second business day subsequent to the sale date. Ten days after the sale, the purchaser shall forfeit all interest in the vehicle and the vehicle shall be deemed to be abandoned and may be again sold.

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

(12) NOTICE TO DEPARTMENT. Within 5 days after the sale or disposition of a vehicle under

this section, the Town Clerk shall advise the Wisconsin Department of Transportation of such sale or disposition on a form supplied by the Department.

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

(14) EXEMPTION. Any owner or person operating a registered vehicle which shall become disabled or inoperative for any reason and who shall be unable to cause removal of such vehicle from any alley, street, highway or public place not otherwise regulated as a restricted parking, stopping or standing zone shall, within 12 hours of such occurrence, notify the Town Clerk of the location of the vehicle and shall transfer and deliver clear title for said vehicle to the Town together with a fee for the cost of towing and junking charges and shall be exempt from the provisions of this section. When so requested by the owner or person in charge of a vehicle, the Town Clerk shall be authorized to order such vehicle removed and junked directly from the scene of disablement by the contractor engaged by the Town for towing of disabled vehicles. The provisions of sub. (11) above shall apply to any vehicle removed under this subsection.

7.09 DISPLAY OF POWER PROHIBITED. No person shall make unnecessary and annoying noises with a motor vehicle by squealing tires, excessive acceleration of engine, or by emitting unnecessary and loud exhaust system noises.

7.10 SNONMOBILES.

(1) STATE SNOWMOBILE LAWS ADOPTED. Except as otherwise specifically provided in this chapter, the statutory provisions describing and defining regulations with respect to snowmobiles in the following enumerated sections of the Wisconsin statutes are hereby adopted by reference and made part of this section as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required or prohibited by this section, as follows:

350.01	Definitions
350.02	Operation of Snowmobiles on or in the Vicinity of a Highway
350.03	Right of Way
350.04	Snowmobile Races, Derbies and Routes
350.045	Public Utility Exemption
350.047	Local Ordinance to be Filed
350.05	Operation by Youthful Operators Restricted
350.055	Safety Certification Program Established
350.06	Firearms and Bows
350.07	Driving Animals
350.08	Owner Permitting Operation
350.09	Headlamps, Tail lamps, and Brakes
350.10	Miscellaneous Provisions for Snowmobile Operation
350.101	Intoxicated Snowmobiling
350.102	Preliminary Breath Screening Test.
350.1025	Application of Intoxicated Snowmobiling Law
350.103	Implied Consent
350.104	Chemical Tests
350.106	Report Arrest to Department.
350.107	Officer's Action After Arrest for Operating a Snowmobile While Under the Influence of an Intoxicant
350.12	Registration of Snowmobiles

350.13	Uniform Trail Signs and Standards
350.15	Accidents and Accident Reports
350.17	Enforcement
350.18	Local Ordinances
350.19	Liability of Landowners
350.99	Parties to a Violation

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

(3) **OPERATION OF SNOWMOBILES IN TOWN RESTRICTED.** It shall be unlawful to operate any snowmobile on the Town streets, roads, parks, parking lots, or on any public lands or parking lots held open to the public. The operator shall at all times have the consent of the owner before operation of a snowmobile on private lands unless the owner has agreed, in writing, with a snowmobile club to establish a snowmobile trail.

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

(5) **SPEED LIMIT ON LAKES REGULATED.** No person shall operate a snowmobile on the iced surface of any lake at a speed greater than 30 miles per hour nor greater than a speed of 10 miles per hour within 100 feet of any ice shanty or person.

(6) **PENALTY.** Any person who shall violate any of the provisions of this section shall be subject to a forfeiture as provided in sec.25.04 of this code.

(7) **TOWN CLERK TO FILE SECTION.** Pursuant to §350.047, Wis. Stats., the Town Clerk is hereby authorized and directed to send a copy of this section to the Department of Natural Resources and the County Sheriff Department.

7.11 OFF-HIGHWAY VEHICLES REGULATED.

(1) **DEFINITION.** "Off-highway vehicle" means any motor driven vehicle which is designed for off-highway recreation, including dirt bikes, power driven cycles, mini-bikes and all-terrain vehicles, but excluding tractors, mopeds and licensed motorcycles operated on highways by a licensed operator.

(2) **PROHIBITED.** No person shall operate an off-highway vehicle as follows:

(a) Within any platted subdivision of the Town.

(b) On the property of another with their written consent.

(c) Between the hours of 9:00 P.M. and 8:00 A.M. within 300 feet of a dwelling.

(d) On the shoulders or in the drainage ditches of public streets and highways or within the boundary of any public right of way unless a trail or an area is specifically authorized and designated by the Town Board for the use of all-terrain vehicles.

(e) In Excess of 30 miles per hour while it is being operated off of a public street or highway.

(f) With more than one passenger.

(g) On a public street or highway unless the driver has an operator's license and the vehicle is licensed by and meets the equipment requirements of the State.

(h) So as to race the engine or cause unnecessary or unusual noise which annoys, disturbs, injures or endangers the comfort, health, peace or safety of others.

7.12 PENALTY. The penalty for violation of any provision of this chapter shall be a forfeiture as hereafter provided, together with statutory court costs and penalty assessment, if applicable.

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

(2) STATE FINE STATUTES. The forfeiture for violation of any statute adopted by reference hereunder for which the penalty is a fine shall not exceed the maximum fine permitted under such statute.

(3) LOCAL REGULATIONS. The penalty for violations of sees. 7.02 through 7.11 of this chapter shall be as provided in sec. 25.04 of this Code.

7.13 ENFORCEMENT.

(1) ENFORCEMENT PROCEDURE. This chapter shall be enforced in accordance with the provisions of §345.20 to §345.53, Ch. 229 and §66.12, Wis. Stats.

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

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

(4) NOTICE OF DEMERIT POINTS AND RECEIPTS. Every officer accepting a forfeited penalty or money deposit under this chapter shall receipt therefor in triplicate as provided in §345.26(3)(b), Wis. Stats. Every officer accepting a stipulation under the provisions of this chapter shall comply with the provisions of §343.27, §343.28, §345.26(1)(a) and §345.27(2), Wis. Stats.

(5) PARKING CITATIONS. Citations for all parking violations under this chapter shall conform to §345.28, Wis. Stats., and shall permit direct mail payment of the applicable forfeiture to the Town Hall within 72 hours of the issuance of the citation in lieu of a court appearance. The citation shall specify thereon the applicable forfeiture as provided in this chapter.

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

(7) DEPOSIT SCHEDULE. Every police officer issuing a citation for any violation of this chapter shall indicate on the citation the amount of the deposit that the alleged violator may make in lieu of court appearance. The amount of the deposit shall be determined in accordance with the Town Bond Schedule or the State Uniform Bond Schedule.

(8) DISPOSITION OF DEPOSITS; OFFICERS TO POST BOND, QUALIFY. Any police officer accepting deposits or forfeited penalties under this chapter shall deliver them to the County Clerk of Courts within 20 days after receipt, except for parking forfeitures which shall be turned over to the Town Treasurer.