

## CHAPTER 2

### Traffic Code

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#### **2.1 STATE TRAFFIC LAWS ADOPTED**

- (1) Except as otherwise specifically provided in this Code, the statutory provisions in Chapters 340 and 348 of the Wisconsin Statutes, 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 code as 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 Code. Any further amendments, revisions, or modifications of the statutes incorporated herein are intended to be made part of this code in order to secure uniform statewide regulation of traffic on the highways, streets, and alleys of the State of Wisconsin.
- (2) **Other Laws Adopted.** There are also hereby adopted by reference the following sections of the Wisconsin Statutes, but the prosecution of such offenses under this ordinance shall be as provided in Chapters 340 to 348 of the Wisconsin Statutes, and the penalty for violation thereof shall be limited to a forfeiture as provided in Section 2.16 of this ordinance:

§941.01 (Negligent operation of vehicle off highway.)

#### **2.02 OFFICIAL TRAFFIC MAP AND CONTROL DEVICES; PROHIBITED SIGNS, SIGNALS, AND MARKERS.**

- (1) **Duty of Superintendent of Public Works to Erect and Install Uniform Traffic Control Devices.** Whenever traffic regulations created by this Code, including a State of Wisconsin traffic regulation adopted by reference in Section 2.01, require the erection of traffic control devices for enforcement, the Superintendent of Public Works 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 regulations 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 Superintendent of Public Works will carry out the purposes of this code and give adequate warning to users of the streets and highways of the Village of Hales Corners.
- (2) **Code Numbers to be Affixed to Official Traffic Control Devices.** The Superintendent of Public Works shall cause to be placed on each official traffic control sign, guide board, mile post, signal, or marker erected under subsection (1) 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.
- (3) **Official Traffic Map.**
  - (a) Official Traffic Map Established. There is hereby established an Official Traffic Map for the Village of Hales Corners upon which shall be indicated no parking areas, restricted parking areas, stop signs, arterial intersections, yield signs, special speed limits, one-way highways, school crossings, and all other restrictions or limitations contained in this Code, as from time to time amended or modified by the Village Board when the laws of the State of Wisconsin require the erection or use of official traffic control devices to enforce such restrictions or limitations.
  - (b) 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 Code.
  - (c) Map to be Maintained. A copy of the Official Traffic Map shall be maintained and displayed in the office of the Police Department and the Municipal Judge.
  - (d) Additions to the Map. The Village Board may from time to time make additions to or deletions from the Official Traffic Map, and the Chief of Police shall keep such Official Traffic Map current.
- (4) **Prohibited Signs and Markers on Highways.** No person other than an officer authorized by this Code 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 Village of Hales Corners any sign, signal, marker, mark, or monument unless permission is first obtained from the Village Board. Any sign, signal, marker, mark, or monument placed or maintained in violation of this subsection shall be subject to removal as provided in subsection (5).

- (5) **Removal of Unofficial Signs, Markers, Signals, and Traffic Control Devices.** The Superintendent of Public Works may remove any sign, signal, marking, or other device which is placed, maintained, or displayed in violation of this Code or State law.

**2.03 SPEED LIMITS.** The Village Board of the Village of Hales Corners hereby determines that the statutory speed limits on the following streets or portions thereof are unreasonable, unsafe, and imprudent, and modifies such speed limits as follows:

- (1) **Speed Limits Increased.** Speed limits are increased as follows upon the following designated streets or portions thereof:

30 miles per hour:

On West Grange Avenue between South 92<sup>nd</sup> Street and South 124<sup>th</sup> Street

On South 124<sup>th</sup> Street between West Grange Avenue and West Edgerton Avenue

- (2) **Speed Limits on State Trunk Highway 24.** The speed limits on State Trunk Highway 24 shall be as follows:

- (a) 35 miles per hour from Waukesha-Milwaukee County Line easterly to West Grange Avenue.
- (b) 40 miles per hour from West Grange Avenue northeasterly to the east limits of the Village.

- (3) **Speed Limits on State Trunk Highway 100.** The speed limits on State Trunk Highway 100 shall be as follows:

- (a) 35 miles per hour from a point .25 miles south of its intersection with West Forest Home Avenue north to its intersection with West Edgerton Avenue.
- (b) 45 miles per hour from its intersection with West Edgerton Avenue north to the Village limits.
- (c) 45 miles per hour from south Village limits north to a point .25 miles south of its intersection with West Forest Home Avenue.

- (4) **Speed Limits on County Trunk Highway OO.** The speed limits on County Trunk Highway OO shall be as follows: 35 miles per hour.

**2.04 THROUGH HIGHWAYS AND CONTROLLED INTERSECTIONS.**

- (1) **Through Highways Designated.** In the interest of public safety and pursuant to authority granted by Wisconsin law, the following highways or portions thereof are declared to be through highways:

- (a) South 92<sup>nd</sup> Street except at its intersection with West Grange Avenue.
- (b) South 104<sup>th</sup> Street from Froemming Drive to West Scharles Avenue except at its intersection with West Ridge Road and West Grange Avenue.
- (c) South 108<sup>th</sup> Street except at its intersection with West Edgerton Avenue, West Grange Avenue, West Janesville Road, and West Forest Home Avenue.
- (d) South 110<sup>th</sup> Street except at its intersection with West Abbott Avenue, West Copeland Avenue, West Grange Avenue, West Godsell Avenue, and West Janesville Road.
- (e) South 116<sup>th</sup> Street except at its intersection with West Edgerton Avenue, West Woodside Drive, West Grange Avenue, West Parnell Avenue, West Godsell

Avenue, South New Berlin Road, West Janesville Road, Haleco Lane, and Parkview Lane.

- (f) West Edgerton Avenue except at its intersection with South 108<sup>th</sup> Street and South 116<sup>th</sup> Street.
- (g) West Forest Home Avenue except at its intersection with West Grange Avenue, West Janesville Road (westbound only), and South 108<sup>th</sup> Street.
- (h) West Godsell Avenue between South 108<sup>th</sup> Street and its intersection with South 116<sup>th</sup> Street except at its intersection with 110<sup>th</sup> Street.
- (i) West Grange Avenue except at its intersection with West Forest Home Avenue, South 108<sup>th</sup> Street, and South 110<sup>th</sup> Street.
- (j) West Janesville Road except at its intersection with South 108<sup>th</sup> Street and South 116<sup>th</sup> Street.
- (k) South Kurtz Road from West Grange Avenue to West Janesville Road except at its intersection with West Godsell Avenue.
- (l) South Lilac Lane from West Forest Home Avenue to Whitnall Park Drive.
- (m) South New Berlin Road from West Grange Avenue to its intersection with West Godsell Avenue and South 116<sup>th</sup> Street.
- (n) West Parkview Lane except at its intersection with South 116<sup>th</sup> Street.
- (o) West Parnell Avenue between South 108<sup>th</sup> Street and New Berlin Road except at its intersection with South 110<sup>th</sup> Street and South 116<sup>th</sup> Street.

- (2) **Controlled Intersections Designated.** In the interest of public safety, the following intersections are declared controlled intersections and traffic control signals shall be installed thereon in conformity with the Wisconsin Official Traffic Control Device Manual and the provisions of this Code:

- (a) The intersection of West Edgerton Avenue and South 108<sup>th</sup> Street.
- (b) The intersection of West Grange Avenue and South 108<sup>th</sup> Street.
- (c) The intersection of West Janesville Road and South 108<sup>th</sup> Street.
- (d) The intersection of West Forest Home Avenue and South 108<sup>th</sup> Street.
- (e) The intersection of West Grange Avenue and West Forest Home Avenue.
- (f) The intersection of West Janesville Road and South 116<sup>th</sup> Street.

- (3) **Designation of Location of Stop Signs.** In the interest of public safety, stop signs shall be installed at the following locations to control traffic on highways over which the Village of Hales Corners has exclusive jurisdiction:

- (a) On South 92<sup>nd</sup> Street and West Grange Avenue at their intersection.
- (b) On South Allenwood Lane and West Brookside Drive at their intersection.
- (c) On South 104<sup>th</sup> Street and West Ridge Road at their intersection.
- (d) On West Edgerton Avenue at its intersection with Old West Forest Home Avenue.
- (e) On South 108<sup>th</sup> Street Public Service Road at its intersection with West Ridge Road.
- (f) On South 110<sup>th</sup> Street and at its intersection with West Abbott Avenue.
- (g) On South 110<sup>th</sup> Street and West Copeland Road at their intersection.
- (h) On South 110<sup>th</sup> Street and West Grange Avenue at their intersection.
- (i) On South 110<sup>th</sup> Street and West Godsell Avenue at their intersection.
- (j) On South 113<sup>th</sup> Street at its intersection with West Abbott Avenue.
- (k) On South 113<sup>th</sup> Street and West Copeland Avenue at their intersection.
- (l) On South 116<sup>th</sup> Street and West Edgerton Avenue at their intersection.
- (m) On South 116<sup>th</sup> Street and West Woodside Drive at their intersection.
- (n) On South 116<sup>th</sup> Street and West Parnell Avenue at their intersection.

- (o) On South 116<sup>th</sup> Street, West Godsell Avenue, and South New Berlin Road at their intersection.
  - (p) On South 116<sup>th</sup> and Haleco Lane at their intersection.
  - (q) On South 116<sup>th</sup> Street and Parkview Lane at their intersection.
  - (r) On Bridget Lane and Parkview Lane at their intersection with Haleco Lane.
  - (s) On South 118<sup>th</sup> Street and Timberline Lane at their intersection.
  - (t) On West Edgerton Avenue at its intersection with South 124<sup>th</sup> Street.
  - (u) On Kay Parkway at its intersection with Whitnall Park Drive.
  - (v) On West College Avenue at its intersection with Whitnall Park Drive.
  - (w) On South 113<sup>th</sup> Street and West Abbott Avenue at their intersection.
  - (x) On South 113<sup>th</sup> Street and West Parnell Avenue at their intersection.
  - (y) On the public service drive abutting South 108<sup>th</sup> Street between West Grange Avenue and West Ridge Road, for northbound traffic at a point in the east curb 470 feet north of the centerline of West Grange Avenue, and for southbound traffic at a point in the west curb 365 feet south of the centerline of West Ridge Road.
  - (z) On South 110<sup>th</sup> Street and West Parnell Avenue at their intersection.
  - (aa) On South 106<sup>th</sup> Street at its intersection with West College Avenue.
  - (bb) On Palmersheim Drive at its intersection with West College Avenue.
  - (cc) On South 111<sup>th</sup> Street at its intersection with West Abbott Avenue.
  - (dd) On West Woodside Drive at its intersection with South 113<sup>th</sup> Street.
  - (ee) On South Kurtz Road and West Godsell Avenue at their intersection.
  - (ff) On West College Avenue at its intersection with Palmersheim Drive.
  - (gg) On Seneca Trail at its intersection with Haleco Lane.
  - (hh) On Arrowhead Trail at its intersection with Haleco Lane.
  - (ii) On South 106<sup>th</sup> Street at its intersection with Kay Parkway
  - (jj) On West Woodside Drive at its intersection with South 111<sup>th</sup> Street.
  - (kk) On Brandons Court at its intersection with West Edgerton Avenue.
- (4) **Designation of Location of Yield Signs.** In the interest of public safety, yield right-of-way signs shall be installed at the following intersections to control traffic on the highways over which the Village of Hales Corners has exclusive jurisdiction:
- (a) On South 98<sup>th</sup> Street at its intersection with West Brookside Drive and West Ridge Road.
  - (b) On South 100<sup>th</sup> Street at its intersection with West Brookside Drive.
  - (c) On South 104<sup>th</sup> Street at its intersection with South Froemming Drive and West Scharles Avenue.
  - (d) On South 106<sup>th</sup> Street at its intersection with West Parnell Avenue.
  - (e) On South 107<sup>th</sup> Street at its intersection with West Ridge Road, West Parnell Avenue, and West Scharles Avenue.
  - (f) On South 111<sup>th</sup> Street at its intersection with West Copeland Avenue and South 110<sup>th</sup> Street.
  - (g) On South 112<sup>th</sup> Street at its intersection with West Copeland Avenue.
  - (h) On South 114<sup>th</sup> Street at its intersection with West Copeland Avenue.
  - (i) On the southwest corner of South 115<sup>th</sup> Street at its intersection with West Abbott Avenue and on South 115<sup>th</sup> Street at its intersection with West Copeland Avenue.
  - (j) On West Abbott Avenue at its intersection with South 104<sup>th</sup> Street.
  - (k) On Arrowhead Trail at its intersection with Bridget Lane.
  - (l) On Bridget Lane at its intersection with Seneca Trail.
  - (m) On West Conrad Street at its intersection with South Allenwood Lane.
  - (o) On West Forest Park Drive at its intersection with South Bonnie Lane.

- (p) On West Green Court at its intersection with South 121<sup>st</sup> Street.
  - (q) On Indian Trail at its intersection with South 118<sup>th</sup> Street and South 120<sup>th</sup> Street.
  - (r) On West Liberty Court at its intersection with South 121<sup>st</sup> Street.
  - (s) On West Mallory Avenue at its intersection with South 113<sup>th</sup> Street and West Copeland Avenue.
  - (t) On Monaco Place at its intersection with West Denis Avenue.
  - (u) On North Ridge Trail at its intersection with Timberline Lane, South 121<sup>st</sup> Street, and South 122<sup>nd</sup> Street.
  - (v) On West Rockne Avenue at its intersection with South 121<sup>st</sup> Street.
  - (w) On Seneca Trail at its intersection with Haleco Lane and Arrowhead Trail.
  - (x) On West Upham Avenue at its intersection with South 100<sup>th</sup> Street, South 111<sup>th</sup> Street, South 113<sup>th</sup> Street, and South Froemming Drive at its junction with South 107<sup>th</sup> Street.
  - (y) On both exists from the Municipal Building parking lot at their intersections with South New Berlin Road.
  - (z) On Parklane Court and Palmersheim Drive with their intersections with South 106<sup>th</sup> Street.
- (5) **Designation of Location of No Right Turn on Red Signal Signs.** In the interest of public safety, “no right turn on red signal” signals shall be installed at the following intersections to control traffic on the highways and streets within the Village and within the Village of Hales Corners jurisdiction:
- (a) On West Edgerton Avenue at its intersection with South 108<sup>th</sup> Street, specifically regulating westbound traffic only at the northeast corner of such intersection from 8:00 p.m. to 5:00 a.m. only.
- (6) **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 section shall obey the direction of such Official Traffic Control Device as required by the Wisconsin Statutes incorporated by reference in §2.01 of this Code. Operators of vehicles approaching a stop sign shall stop before entering a highway as required by §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 §346.18(6).

## **2.05 WEIGHT LIMITS AND HEAVY TRAFFIC ROUTES.**

- (1) **Streets Designated Class “B” Highways.** All highways within the Village of Hales Corners, Wisconsin are hereby designated class “B” highways subject to the weight limitations imposed on class “B” highways by the Wisconsin Statutes adopted by reference in §2.01 of this Code except the following enumerated highways or parts of highways:
- (a) State Trunk Highway 24.
  - (b) State Trunk Highway 100.
  - (c) County Trunk Highway OO.
- (2) **Special and Season Weight Limitations.** The Superintendent of Public Works shall have the authority to impose special or seasonal weight limits on any highway, bridge, or culvert maintained by the Village of Hales Corners to prevent injury to the roadway or for the safety of the users of such highway, bridge, or culvert and shall be responsible for erecting Uniform Traffic Control Devices giving notice thereof in accordance with the provisions of §2.02 of this Code.

- (3) **Heavy Traffic Routes.** Restrictions on Use of Streets by Heavy Traffic. No person shall operate or move a vehicle, except a motor bus, which is not equipped with pneumatic tires or has a combined vehicle load weight exceeding 6,000 pounds on any street or alley not part of the State Trunk Highway or County Highway System, within the Village, except for the purpose of obtaining orders for, moving, or delivering supplies or commodities to or from a place of business or residence facing thereon, provided that in no event shall the weight of vehicle and load on any street not defined or designated as a heavy traffic route exceed the limitations of the Wisconsin Statutes adopted by reference on 2.01 of this Code pertaining to class “A” highways or deliveries on class “B” highways.

## **2.06 PARKING REGULATIONS.**

- (1) **Parking, Stopping, or Standing Prohibited.** No person shall park, stop, or leave standing any vehicle, for any purpose upon the following highways or parts of highways at any time:
- (a) On both sides of South 108<sup>th</sup> Street within the entire Village.
  - (b) In the south lane of West Janesville Road from South 118<sup>th</sup> Street to a point 104 feet west of South 118<sup>th</sup> Street.
  - (c) On the southerly side of West Forest Home Avenue between the southerly corner of its intersection with South Lilac Lane and a point 90 feet southwesterly thereof.
  - (d) On the north side of West Ridge Road between South 107<sup>th</sup> Street and South 108<sup>th</sup> Street.
  - (e) For a distance of 80 feet from any public bus stop sign.
  - (f) On the northwest side of West Forest Home Avenue between West Ridge Road and West Grange Avenue.
  - (g) On the northwest side of West Forest Home Avenue from the most easterly access drive to tax key number 659-9927-003 to its merger with West Janesville Road.
  - (h) On the north side of West Janesville Road between West Forest Home Avenue and South 108<sup>th</sup> Street.
  - (i) On the south side of West Janesville Road from South 108<sup>th</sup> Street to a point 150 feet west of South 108<sup>th</sup> Place.
  - (j) On the south side of West Edgerton Avenue between West Brookside Drive and Old West Forest Home Avenue.
  - (k) On the west side of the South 108<sup>th</sup> Street Public Service Road between West Grange Avenue and West Ridge Road.
  - (l) On the north side of West Scharles Avenue between South 104<sup>th</sup> Street and South 108<sup>th</sup> Street.
  - (m) On the south side of West Godsell Avenue from 112<sup>th</sup> Street to the most easterly access drive to the Hales Corners Elementary School property.
    - 1. On the north side of West Godesll Avenue from a point 95 feet east of the centerline of South 114<sup>th</sup> Street easterly 60 feet, to a point 155 feet east of the centerline of South 114<sup>th</sup> Street.
  - (n) On the west side of South 113<sup>th</sup> Street between West Godsell Avenue and West Parnell Avenue.
  - (o) On both sides of South New Berlin Road between West Godsell Avenue and West Parnell Avenue; on the east side of South New Berlin Road, 50 feet north and 50 south of the centerline of Denis Avenue; and on the west side of South

New Berlin Road, 50 feet north and 60 feet south of the centerline of West Denis Avenue; and on the southwest side of South New Berlin Road from a point 500 feet southeast of the centerline of the intersection of South New Berlin Road and South 116<sup>th</sup> Street to a point 600 feet southeast of the centerline of the intersection of south New Berlin Road and South 116<sup>th</sup> Street.

- (p) On the north side of West Rockne Avenue from South 108<sup>th</sup> Street to a point 150 feet west.
- (q) On both sides of South 104<sup>th</sup> Street from West Scharles Avenue to a point 260 feet north.
- (r) On the southeast side of West Forest Home Avenue from West Grange Avenue to a point 165 feet east.
- (s) On the east and west side of Allenwood Lane from Frontage Road (Old West Forest Home Avenue) to a point 100 feet north of Frontage Road.
- (t) On the east and west side of South 104<sup>th</sup> Street from West Grange Avenue to a point 100 feet south of West Grange Avenue.
- (u) On the north side of West Grange Avenue from South 104<sup>th</sup> Street to a point 100 feet east of South 104<sup>th</sup> Street.
- (v) On the north and south side of West Abbott Avenue from South 108<sup>th</sup> Street to a point 300 feet west of South 108<sup>th</sup> Street.
- (w) On the southeast side of West Forest Home Avenue from a beginning point 140 feet southwesterly of its intersection with West Grange Avenue to a point 95 feet southeasterly of said beginning point.
- (x) On the southeast side of West Forest Home Avenue between a point 500 feet northeast of the center of South 108<sup>th</sup> Street and a point 970 feet northeast of the center of South 108<sup>th</sup> Street.
- (y) On the north and south side of West Edgerton Avenue between South 108<sup>th</sup> Street and South 110<sup>th</sup> Street.
- (z) On the south side of West Parnell Avenue from South 108<sup>th</sup> Street to a point 50 feet west.
- (aa) On West Forest Home Avenue from the east corporate limits of the Village to its intersection with West Janesville Road with the following exceptions:
  1. On the northwest side starting 110 feet southwest of the centerline of West Scharles Avenue, and then extending 475 feet southwest.
  2. On the northwest side starting 130 feet northeast of the centerline of West Scharles Avenue and then extending 515 feet northeast.
  3. On the northwest side starting 250 feet southwest of the centerline of West Grange Avenue and then extending 390 feet to the southwest.
  4. On the southeast side starting 135 feet southwest of the centerline of South Lilac lane and then extending 390 feet southwest.
  5. On the southeast side starting 550 feet northwest of the centerline of West Grange Avenue and then extending 100 feet southwest.
  6. On the southeast side starting 30 feet southwest of the centerline of West Kelly Place and then extending 305 feet southwest.
  7. On the northwest side abutting the west 210 feet of tax key number 659-9997-003.
  8. On the southeast side abutting the east 150 feet of tax key number 660-9969-002.
  9. On the southeast side, beginning approximately 800 feet northeast of the centerline of West Grange Avenue and extending approximately 540 feet northeast along the northwest side of tax key number 653-9976-001, excluding the length required for a bus stop.

- 10. On the northwest side starting 120 feet northeast of the centerline of pavement of West Ridge Road and then extending 400 feet to the northeast.
  - (bb) On the south side of West Kelm Road abutting tax key numbers 701-9959-007 and 701-9959-001 Parcel 1, from West Forest Home Avenue 370 feet (±) east to the westerly entrance to tax key number 701-9957-001, Parcel 1.
  - (cc) On South 92<sup>nd</sup> Street between West College Avenue and West Grange Avenue.
  - (dd) On Garden Court.
  - (ee) On West Janesville Road from its intersection with West Forest Home Avenue to the west corporate limits of the Village with the following exceptions:
    - 1. On the north side starting from 140 feet west of the center line of South 108<sup>th</sup> Street then extending to South 110<sup>th</sup> Street, excepting on the north side and within 215 feet of the intersection of West Janesville Road and State Trunk Highway 100, in which area parking shall be restricted to a maximum of 20 minutes per vehicle, from 8:00 a.m. to 8:30 p.m., Monday through Saturday.
    - 2. On the north side starting 180 feet southwest of the centerline of South Kurtz Road and then extending 300 feet southwest.
    - 3. On the south side starting from 30 feet east of the centerline of South 111<sup>th</sup> Street and then extending 150 feet east.
    - 4. On the south side starting 640 feet east of the centerline of South 116<sup>th</sup> Street and then extending 220 feet east.
    - 5. On the south side starting 150 feet southwest of the centerline of South 118<sup>th</sup> Street and then extending 500 feet southwest.
  - (ff) On the east and west side of Meadowlark Lane, south of Meadowlark Court.
  - (gg) On the south side of Kay Parkway between South 106<sup>th</sup> Street and South 108<sup>th</sup> Street and on the West side of South 106<sup>th</sup> Street from Kay Parkway to a point 40 feet south of Kay Parkway.
  - (hh) On the east and west side of South 107<sup>th</sup> Street, north of Parnell Avenue, to a point 160 feet north of the centerline of Parnell Avenue.
  - (ii) On the north side of West Denis Avenue from South 108<sup>th</sup> Street to a point 180 feet west of South 108<sup>th</sup> Street.
- (2) **No Parking Except for Authorized Vehicles.** No person shall park, stop, or leave standing any vehicle on the Village property used as a fire and rescue station located at 10000 West Forest Home Avenue, except by personnel of the Hales Corners Fire Department or person there on official business.
- (3) **Limited Time Parking.** When official traffic control devices are erected in any block giving notice thereof, no persons shall park, stop, or leave standing any vehicle, whether attended or unattended, for more than the following time periods between the hours of 6:00 a.m. and 8:00 p.m. on any day except Sundays and holidays on any of the following highways or parts thereof:
- (a) One (1) Hour Parking Limit.
  - (b) On the north side of West Janesville Road between South 108<sup>th</sup> Street and South 109<sup>th</sup> Street.
- (4) **Parking Prohibited during Certain Periods.** No person shall park or leave standing any vehicle upon any of the following highways or part of highways at the time indicated, except temporarily for purposes of and while actually engaged in receiving or discharging passengers:

- (a) On the south side of West Godsell Avenue from the east to the west property line of Hales Corners Elementary School between the hours of 7:30 a.m. and 5:00 p.m. on regular school days.
  - (b) On the north side of West Janesville Road beginning at a point 385 feet west of the centerline of South 112<sup>th</sup> Street and continuing west 395 feet between the hours of 7:30 a.m. and 5:00 p.m. on regular school days.
  - (c) On the north side of West Copeland Avenue between South 110<sup>th</sup> Street and South 111<sup>th</sup> Street, and between South 112<sup>th</sup> Street and South 114<sup>th</sup> Street between the hours of 7:30 a.m. and 12:00 p.m.
  - (d) On the west side of South 112<sup>th</sup> Street between West Grange Avenue and West Copeland Avenue on Sundays between the hours of 7:30 a.m. and 12:00 p.m.
  - (e) On the south side of West Luther Avenue between South 110<sup>th</sup> Street and South 111<sup>th</sup> Street on Sundays between the hours of 7:30 a.m. and 12:00 p.m.
  - (f) On the north side of West Parnell Avenue between South 108<sup>th</sup> Street and South 110<sup>th</sup> Street, between the hours of 9:00 a.m. and 5:00 p.m. daily, except: Sundays and holidays.
  - (g) Between 2:00 a.m. and 8:30 a.m. on the east side of the service drive abutting the Wisconsin Electric Company right-of-way immediately east of South 108<sup>th</sup> Street between West Grange Avenue and West Ridge Road, except 295 feet north of Grange Avenue centerline which shall be posted “No Parking Anytime”.
  - (h) On the W. Ben Hunt Community Center parking lot at the northwest corner of West Janesville Road and South 116<sup>th</sup> Street, unless attending a Village-sponsored function.
  - (i) On the south side of West Edgerton Avenue between West Brookside Drive and the Old West Forest Home Avenue between the hours of 7:30 a.m. and 3:30 p.m. on regular school days at St. Mary’s School.
  - (j) On the west side of South 113<sup>th</sup> Street between W. Parnell Avenue and West Godsell Avenue between the hours of 7:30 a.m. and 3:30 p.m. on regular school days at the Hales Corners Elementary School.
  - (k) On the south side of West Luther Avenue between the southwest corner of its intersection with South 108<sup>th</sup> Street and a point 175 feet westerly thereof between the hours of 7:30 a.m. and 6:00 p.m. on Mondays through Fridays, both inclusive.
  - (l) On the west side of South 111<sup>th</sup> Street a distance of 130 feet from its intersection with West Copeland Avenue on regular school days between the hours of 8:00 a.m. and 4:00 p.m.
  - (m) On the east side of South 111<sup>th</sup> Street between West Copeland Avenue and West Luther Avenue on regular school days between the hours of 8:30 a.m. and 3:30 p.m.
  - (n) On the west side of South 112<sup>th</sup> Street between West Grange Avenue and West Copeland Avenue between 8:00 a.m. and noon on Sundays.
  - (o) On both sides of West Copeland Avenue between South 111<sup>th</sup> Street and South 112<sup>th</sup> Street on regular school days between the hours of 8:30 a.m. and 3:30 p.m., and on Sundays between the hours of 8:00 a.m. and noon.
  - (p) On the east side of South 116<sup>th</sup> Street, Woodside Drive to Edgerton Avenue between the hours of 7:30 a.m. and 5:00 pm. on regular school days.
- (5) **Night Parking Restrictions.**
- (a) When signs have been erected at or reasonably near the corporate limits of the Village of Hales Corners as provided in §349.13, Wis. Stats., no person shall

park any vehicle for a period of time longer than one-half hour between the hours of 2:30 a.m. and 6:00 a.m.

- (b) Determination of Prohibited Area. Any vehicle may be parked during such hours provided it is completely off the paved roadway for a minimum distance of three (3) feet, is parked within the publicly dedicated right-of-way, and is allowed to remain in such location at the sole risk of the owner or operator of the vehicle. The Village assumes no responsibility for any damages arising from such parking.

(6) **Miscellaneous Parking Restrictions.**

- (a) 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 driveway is located, whether or not such driveway is posted to limit or restrict parking.
- (b) Parking Heavy Vehicles in Residential Districts. No operator of a motor truck, truck-tractor, trailer, or semi-trailer or any other vehicle or combination of vehicles other than motorbuses weighing more than 6,000 pounds shall park such vehicles on any highway other than a routed State Trunk Highway in any residential districts except for such time as is reasonably necessary to facilitate the loading or unloading of the vehicle.
- (c) Snow Emergency Parking Restrictions. Whenever the Village President shall, by reason of heavy snow storm or blizzard, proclaim a snow emergency pursuant to §66.325, Wis. Stats., no person shall park, stop, or leave standing any vehicle upon the streets or any portion of the streets during the hours set forth in said proclamation.
- (d) No Parking in Fire Lanes. No person shall park, stop, or leave standing any vehicle, whether attended or unattended at any time within a fire lane consisting of the following:
  - 1. The driveway between the front doors of the Village Fire Station and the public street.
  - 2. In such places property designated and marked as ordered by the Fire Chief by authority granted in the Village of Hales Corners Fire Code, Chapter 6.04(2).
  - 3. See §6.04(2)(a) of this Code prohibiting certain motor vehicle operation upon the Fire Department access drive.
- (e) Parking Restrictions Near Fire Hydrant. No person shall stop or leave any vehicle standing with 10 feet of a fire hydrant which is on the City of Milwaukee water supply system, unless a greater distance is indicated by an official traffic sign, except temporarily for the purpose and while actually engaged in loading or unloading or in receiving or discharging passengers and while the vehicle is attended by a licensed operator so that it may promptly be removed in case of an emergency or to avoid obstruction of traffic.
- (f) Restrictions on Displaying Vehicles for Sale. No person shall stop or leave standing upon any highway, street, or alley within the Village of Hales Corners any vehicle displayed for sale. 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:
  - 1. Consent to display the vehicle has been given by the owner or lessee of the premises; and
  - 2. The owner of the vehicle is on the premises or resides there; and

3. The vehicle displayed for sale is parked entirely on the premises; and
4. The premises contains only one (1) vehicle displayed for sale; and
5. The advertisement or sign for sale of the vehicle is not larger than two (2) square feet.

(7) **Unlawful Removal of Parking Citation.** No person other than the owner or operator thereof shall remove a municipal parking violation citation from a motor vehicle.

(8) **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 code is declared a nuisance and a hazard to traffic and public safety. Such vehicle shall be removed by the operator, upon request of any police officer, to a position where parking, stopping, or standing is not prohibited. Any police officer after issuing a citation for illegal parking, stopping, or standing of an unattended vehicle in violation of this code 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 in any storage garage or rental parking grounds or any facility of a person providing the towing services. In addition to other penalties provided by §2.16 of this Code, the owner or operator of a vehicle so removed shall pay the cost of towing and storage.

(9) **Registration Record of Vehicles as Evidence.** When any vehicle is found upon a street or highway in violation of any provisions of this Code regulating the parking, stopping, or standing 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 subject to appropriate penalty.

(10) **Penalties.**

(a) Parking Violation; Notice to Appear; Submission of Admission. Any person to whom a police notice or summons has been issued to appear at the police station for violating the provisions of §2.06 or the provisions of any other ordinance regulating the stopping, standing, and parking on any street or alley may, within seven (7) days after 6:00 p.m. on the day of the violation, deliver by mail or in person to the police station of the Village of Hales Corners, a written admission and consent to judgment (hereinafter called “admission”) signed by such person of the charges set forth in the notice or summons, together with his check, money order, or cash for \$10.00. No violator of §2.06 or such other ordinance shall be tried in court until after the time allowed the violator by this section for filing such admission has expired, unless the admission is signed by the defendant and filed as herein provided, in which case the trial shall be had as soon as possible. When a case is tried upon such admission, no witnesses shall be sworn for the prosecution or the defense. If after signing the admission, the defendant at the time of trial insists that witnesses be sworn for the defense, the case shall immediately be adjourned to a day certain, and witnesses may be subpoenaed on behalf of the prosecution and the defense. The trial of the case shall proceed in the usual manner, and the provisions of this chapter shall not apply.

(b) Parking Violation; Failure to Pay when Due; Penalty. Any person who fails to pay the stipulated forfeit penalty of as set forth upon the parking citation authorized pursuant to §2.17(b) of this Code within seven (7) days after 6:00 p.m.

on the day of violation shall pay a stipulated forfeit penalty of such stipulated forfeit penalty plus an additional \$15.00 for a parking violation as hereinabove provided. Any person who fails to pay the stipulated forfeit penalty as set forth upon the parking citation authorized pursuant to §2.17(b) of this Code within 30 days after 6:00 p.m. on the day of violation shall pay a stipulated forfeit penalty plus an additional \$30.00, which includes court costs, for a parking violation as hereinabove provided.

- (c) Parking Violation; Privilege of Stipulation Denied to Repeated Violators. The privilege of stipulation granted to violators by this Chapter shall not be available to any person found guilty by stipulation or otherwise of four (4) or more traffic violations during the 12 months preceding his last arrest.

**2.07 ABANDONED VEHICLES.** The provisions of Section 15.06, Village Code, shall control the disposition of abandoned vehicles.

**2.08 ACCIDENT REPORTS.** The operator of any vehicle involved in an accident resulting in injury to or death of any person, or property damage to an apparent total extend of \$400.00 or more, shall within 10 days after such accident file with the Village of Hales Corners Police Department a copy of the report required by §366.70, Wis. Stats. 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 in §346.70(4)(f) and 346.73, Wis. Stats.

**2.09 MOTOR POWER TO BE SHUT OFF WHEN VEHICLE IS UNATTENDED.** All motor power shall be stopped on any automobile or other similar motor vehicle when the same is left unattended on any public highway.

**2.10 LEAVING KEYS IN VEHICLE.** All ignition keys shall be removed from the ignition switch in any automobile or other similar motor vehicle when the same is left unattended.

**2.11 OPERATION OF MOTOR VEHICLE IN PUBLIC PARKING LOT.**

(1) **Unlicensed Operators Prohibited.** No person who does not hold a valid operator's license shall operate a vehicle in any public parking lot or in any private parking lot held out for the use of parking for the general public.

(2) **Traffic Regulations Applicable.** All provisions of 2.01 of this Code and of the Wisconsin Statutes and laws incorporated herein by reference shall be applicable on any public parking lot and on any private lot held out for the use of the general public for parking or vehicular traffic.

**2.12 APPLICABILITY OF TRAFFIC REGULATIONS TO SNOWMOBILES.** No person shall operate a snowmobile upon any street, highway, or alley within the Village of Hales Corners in violation of the provisions of Chapter 350 or §346.04, 346.05, 346.11, 346.14(1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50(1)(b), 346.51, 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92(1), and 346.94(1), (6), (6m), and (9), Wis. Stats.

**2.13 STATE STANDARDS FOR MOTOR VEHICLE EQUIPMENT ADOPTED.**

- (1) **Administrative Regulations Adopted.** The Administrative rules and regulations adopted by the Secretary of the Wisconsin Department of Transportation and published in Chapter TRANS 305 of 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 the Code as if fully set forth herein.
- (2) **Noncompliance Prohibited.** No person shall operate or allow to be operated on any highway, street, or alley within the Village of Hales Corners a vehicle that is not in conformity with the requirements of subsection (1) or the equipment provisions of Chapter 347, Wis. Stats., incorporated by reference in 2.01 of this Code.
- (3) **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 §347.04, Wis. Stats., relating to non-applicability of demerit points, shall apply to owners convicted of violation of this Section.
- (4) **Safety Checks.**
  - (a) 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 enforcement officer as herein provided.
  - (b) Authority of Officer. Any law enforcement officer of the Village of Hales Corners 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.
  - (c) 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 may be in the form prescribed by the Secretary of the Department of Transportation under §110.075(5), Wis. Stats., and shall require the vehicle owner or operator to obtain such repairs as required.

**2.14 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 muffler noises.

## **2.15 REGISTRATION OF BICYCLES.**

- (1) **Registration of Bicycles.**
  - (a) Registration of Bicycles Required. No person who resides within the Village of Hales Corners shall operate or propel a bicycle, as described in §340.01, Wis. Stats., upon any public highway, bicycle way, or bicycle path within the Village

which has not been duly registered and an identification tag attached thereto as provided in this Section.

- (b) Application. Application shall be made by filing with the Hales Corners Police Department on form provided by the Village, giving the name and address of the owner and a complete description of the bicycle including the name of manufacturer, style, model, frame number, color, and other information as required.
  - (c) Inspection. The Chief of Police or any officer or agent assigned such responsibility, shall inspect each bicycle before registering the same and shall refuse registration for any bicycle which he or she determines to be in unsafe mechanical condition.
  - (d) Registration Fee. The fee for registration of a bicycle shall be \$4.00 for four years or fraction thereof, \$3.00 for three years or fraction thereof, \$2.00 for two years or fraction thereof, and \$1.00 for one year or fraction thereof. Any bicycle owner whose registration tag is lost, destroyed, or stolen, shall within 20 days make application for a new registration tag and pay a fee of \$1.00.
  - (e) Period of Registration. All bicycle registrations shall expire on the same date. All bicycle registrations shall be issued for a period of four (4) years or fraction thereof and initially shall expire on the 31<sup>st</sup> day of December 1990 and every fourth anniversary year thereafter.
  - (f) Registration Tag. Upon application, inspection, and payment of the registration fee, the Police Department shall issue a registration tag, serially numbered to correspond with the registration file number and shall be firmly affixed to the main support bar below the operator's seat on the left side for visibility and uniformity. The tag is not transferable.
  - (g) Change of Ownership. All bicycles must be registered within 10 days of purchase. Within 10 days after any bicycle is registered as provided herein is sold or transferred to a new owner or dismantled and taken out of operation, the person in whose name the bicycle is registered shall report such information to the Police Department. The Police Department shall thereupon cancel the registration of the bicycle and the new owner, if any, shall be responsible for obtaining a new registration. In the case of dismantling or taking out of operation, the owner shall return the registration tag to the Police Department.
- (2) **Responsibility of Parent or Guardian.** Where the licensee is under the age of 14, the parent or guardian of any child shall be responsible for the registration of any bicycle operated by such child. No parent or guardian of any child shall authorize or knowingly permit such child to violate any of the provisions of this Section or any ordinance or State law applicable to the registration or operation of bicycles.
- (3) **Equipment of Bicycles.** No person shall propel, ride, or operate a bicycle upon the streets or public highway in the Village unless such bicycle shall comply with the requirements of §346, Wis. Stats., adopted and made a part hereof by reference relating to the equipment of bicycles.
- (4) **Rules for Operation.** No person operating a bicycle upon any street or highway, bicycle way or path within the Village of Hales Corners shall fail to observe all applicable traffic regulations of this Village and State or to comply with the following regulations:
- (a) Carrying Extra Passengers. Bicycle operators shall not use a bicycle, except a tandem, to carry another person; provided, a bicycle operator may carry a child securely attached to his or her person in a back pack or sling and may carry

another person on a bicycle if it is equipped with a child's seat securely attached to and properly designed for use on a bicycle.

- (b) **Stunt or Trick Riding.** No person operating or pedaling a bicycle shall participate in any trick or stunt riding or racing on any highway within the Village of Hales Corners unless such race or contest is held pursuant to permission granted by the authority having jurisdiction over the highway.
  - (c) **Towing with Bicycle.** No person riding or operating a bicycle shall tow, drag, or cause to be drawn behind the bicycle, any person on roller skates, coaster sled, or any other type of conveyance not designated to be towed by a bicycle.
  - (d) **Obedience to Traffic Control Devices.** Any person operating a bicycle shall obey the instructions of official Traffic Control devices applicable to vehicles unless otherwise directed by a law enforcement officer.
  - (e) **Stopping, Turning, and Signaling.**
    - 1. **Signal Required.** No bicycle operator shall suddenly stop, slow down, or turn without giving an arm signal required by State law for the operation of motor vehicles.
    - 2. **Prohibited Turns.** Whenever a Uniform Traffic Control Device is erected indicating that no right or left turn or U-turn is permitted, no person operating a bicycle shall disobey the direction of such Device, except after dismounting from the bicycle to make such turn, in which event said person shall then obey the regulations.
    - 3. **Right Turns.** Every person operating a bicycle intending to turn to the right at an intersection, alley, or driveway shall approach the turning point in the line of traffic nearest the right hand curb of the street.
    - 4. **Left Turns.** Every person operating a bicycle intending to turn left at an intersection or to enter an alley or driveway shall approach the point of turning in the line of traffic nearest to the center of the roadway and shall pass to the left of the center of the intersection before turning unless otherwise directed by Official Traffic Control Devices. At intersections where traffic is moving in the opposite direction, if it is not safe for the operator to make a left turn as above described, he or she shall stay in the right hand lane and drive to the opposite corner, dismount, and walk the bicycle to the left hand corners and proceed. A bicycle operator may also make a left turn by driving to the opposite corner and then turning left and driving in a normal driving position.
    - 5. **Use of Crosswalks.** Crosswalks shall be used when walking a bicycle through an intersection.
  - (f) **Speed.** No person shall operate a bicycle at a speed greater than is reasonable and prudent under existing conditions or in excess of any posted speed limit.
- (5) **Bicycle Parking.** No person shall park any bicycle against windows or in the main traveled portion of any sidewalk or highway nor in such manner as to constitute a hazard to pedestrians, traffic, or property. If there is no bicycle rack or other facility intended to be used for parking of bicycles in the vicinity, the operator may park a bicycle on the sidewalk in an upright position parallel to and within 24 inches of the curb.
- (6) **Enforcement.**
- (a) **Juvenile Offenders Under Age 14.** Any offender under the age of 14 years who shall disregard the rules and regulations governing the operation of bicycles in this Code may be:
    - 1. Directed to appear before the Juvenile Court of Milwaukee County.

2. Directed to appear before the Hales Corners Police Department Juvenile Officer.
  3. Issued a written warning thereof which will be forwarded to the Hales Corners Police Department Juvenile Officer for disposition.
- (b) Offenders Age 14 and Older. Any person having attained the age of 14 years may be issued a Municipal Court citation and dealt with in accordance with 2.16 of this Code.

## **2.16 REGULATION OF PLAY VEHICLES.**

### **(1) Skateboards and Roller Skis.**

- (a) No person shall operate or ride a skateboard or roller skis:
1. On any roadway.
  2. On any Village sidewalk or alley in any business district. For the purposes of this Ordinance, the business district shall be those areas zoned and used for business purposes.
  3. In any public parking ramp or public parking lot.
  4. On any public property where signs prohibit it.
  5. On any private property unless permission has been given from the owner, lessee, or person in charge of that property.
- (b) It shall be lawful for operators or riders of skateboards or roller skis to use this equipment on non-business sidewalks and alleys provided they yield the right-of-way to pedestrians using Village sidewalks and do not otherwise endanger or interfere with pedestrian traffic on those sidewalks and yield the right-of-way to vehicles using the alleys. Notwithstanding any other provision herein, it shall be unlawful for any operator or rider of such skateboard or roller skis to use a skateboard or roller skis on any public property, street, alley, sidewalk, or other public right-of-way later than one-half (1/2) hour after sunset or one-half (1/2) hour before sunrise.

## **2.17 ENFORCEMENT.** This code shall be enforced in accordance with the applicable provisions of the Wisconsin Statutes and this Section.

- (1) **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 Municipal Court of the Village of Hales Corners in accordance with the provisions of Chapter 800 and §345.20(2)(b), Wis. Stats.

### **(2) Citations.**

- (a) 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 code except those provisions which describe or define nonmoving traffic violations and violations of §346.71 and 346.73, Wis. Stats. Violations of §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.
- (b) Parking Citations. The Village Attorney shall recommend a citation for use in enforcing the non-moving traffic offenses of this Code. When approved by the Village Board of Trustees, such citation shall be used in enforcing the nonmoving traffic regulations created or adopted by this Code, including violations of nonmoving traffic regulations defined and described in the

Wisconsin Statutes, adopted by reference in 2.01 and all provisions of Sections 2.06, 2.09, 2.10, and 2.15 of this Code. The citation for nonmoving traffic violations shall contain a notice that the person cited may discharge the forfeiture for violation of a nonmoving traffic regulation and penalty thereof by complying with subsection (3)(b) of this Section. Nonmoving traffic citations may be issued by law enforcement officers or by civilian employees of the Police Department.

(3) **Deposits and Stipulations.**

(a) Uniform Traffic Offenses.

1. Who May Make. Persons arrested or cited for violation of moving traffic offenses created by this Code 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.
2. Delivery or Mailing of Deposit and Stipulations. The deposit and stipulation shall be delivered personally to the person cited or mailed to the office of the Hales Corners Police Department.
3. Receipt Required. 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 Village Treasurer.

(b) Nonmoving Traffic Offenses.

1. Direct Payment of Penalty Permitted. Persons cited for violation of nonmoving traffic offense described and defined in this code may discharge the penalty thereof and avoid court prosecution by forwarding within 10 days of the issuance of the citation to the Police Department the minimum penalty specified for the violation. When payment is made as provided in this paragraph, no court costs shall be charged.
2. Court Prosecution. If the alleged violator does not deliver or mail a document as provided in subsection 1, within 10 days of the date of citation, the Chief of Police shall forward a copy of the citation to the Village Attorney for prosecution pursuant to law.
3. Deposits Returned to the Treasurer. Officers receiving deposits for nonmoving traffic violations under this subsection shall pay over such deposits to the Village 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.

**2.18 REFERENCE TO WISCONSIN STATUTES.**

- (1) **Statutes Specifically Incorporated by Reference.** Whenever this code incorporated by reference specific sections of the Wisconsin Statutes, such reference shall mean the Wisconsin Statutes of 1979 as from time to time amended, repealed, or modified by the Wisconsin Legislature.
- (2) **General Purpose.** General references in this code 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.

**2.19 REPEAL OF CONFLICTING ORDINANCES.** All ordinances regulating traffic upon the streets, alleys, or highways of the Village of Hales Corners, Wisconsin, and all

ordinances or parts of ordinances heretofore enacted by the Village Board of the Village of Hales Corners, Wisconsin, are hereby repealed.

**2.20 SEVERABILITY.** The provisions of this Code shall be deemed severable and it is expressly declared that the Village Board would have passed the other provisions of this Code irrespective of whether or not one or more provisions may be declared invalid and if any provision of this Code or the application thereof to any person or circumstances is held invalid, the remainder of the Code and the application of each provision to other persons or circumstances shall not be affected thereby.

**2.21 PENALTIES.**

(1) **Forfeiture Penalty.** The penalty for violation of any provision of this Code shall be a forfeiture as hereinafter provided together with the costs of prosecution and the penalty assessment imposed by §165.87, Wis. Stats., where applicable. Payment of the judgment may be suspended by the sentencing judge for not more than 60 days. Any person who fails to pay the amount of the forfeiture, costs of prosecution, and penalty imposed for violation of any provision of this Code may, upon order for the court entering judgment therefore and having jurisdiction on the case, be imprisoned until such forfeiture, costs, and assessment are paid, but not exceeding 90 days.

(2) **Other Sanctions.** 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 to submit to assessment and rehabilitation or attend traffic safety school in addition to payment of a monetary penalty or in lieu of imprisonment.

(3) **Forfeitures for Uniform Traffic Offenses.** Forfeitures for violations of any traffic regulation set forth in the Wisconsin Statutes adopted by reference in 2.01 of this code shall conform to the forfeiture penalty permitted to be imposed for violations of the comparable State Statute, including any variations or increases for subsequent offenses; provided, however, that this Subsection shall not permit prosecution under this Code of any offense for which an imprisonment penalty or fine may be imposed upon the defendant.

(4) **Special Local Regulations.** The forfeiture for violation of sections 2.09, 2.10, 2.11, 2.12, 2.13, 2.14, and 2.15 of this Code shall be not less than \$5.00 nor more than \$200.00 for the first offense and not less than \$10.00 nor more than \$400.00 for the second offense within two (2) years.

(5) **Miscellaneous.** The forfeiture for violation of parking regulations in Section 2.06(10) of this Code.

(6) **Parking.** The forfeiture for violation of parking regulations in Section 2.06(10) of this Code.

(7) **Minimum Forfeitures.** Minimum forfeitures for violations of this Code shall conform to and correspond to the Uniform State Traffic Deposit Schedule issued pursuant to §345.26(2)(a), Wis. Stats., by the Wisconsin Judicial Conference, notwithstanding the provisions of this Section.

## 2.22 CRUISING.

- (1) **Finding and Purpose.** It is hereby found that a threat to public health, safety, and welfare arises from the congestion created by the repetitive unnecessary driving of motor vehicles, also known as cruising, at certain times on certain highways within the Village of Hales Corners. The purpose of this ordinance is to reduce the dangerous traffic congestions, as well as the noise, air pollution, obstruction of streets, sidewalks, and parking lots, impediment of access to shopping centers or other buildings open to the public, interference with use of property or conduct of business resulting from cruising, and to insure access for emergency vehicles to and through the said highways.
- (2) **Definitions.**
  - (a) Cruising shall mean driving a motor vehicle past a traffic control point, on a highway in the designated area, more than twice in any two (2) hours period between the hours of 8:00 p.m. and 5:00 a.m. Passing a designated control point a third time under the aforesaid conditions shall constitute unnecessary repetitive driving and cruising and, therefore, a violation of this Section.
  - (b) Designated Area shall mean South 108<sup>th</sup> Street from the North Village limits to the South Village limits; West Forest Home Avenue from the East Village limits to the South Village limits; West Janesville Road from South 108<sup>th</sup> Street to the West Village limits.
  - (c) Traffic Control Point shall mean a reference point within or adjacent to a designated area selected by a police officer for the purpose of enforcing this section.
- (3) **Cruising Prohibited.** It shall be unlawful for anyone to engage in cruising. For the purposes of this Section, the person having control or ownership of a motor vehicle shall be considered the person cruising, without regard as to whether that person was actually driving the motor vehicle each time it passed the traffic control point. Having control or ownership of a motor vehicle shall mean either the owner of said vehicle, if present in the vehicle at the time of the violation, or, if the owner is not present, the person operating the vehicle at the time of violation.
- (4) **Exclusions.** This section shall not apply to:
  - (a) Any publicly owned vehicle of any city, county, state, federal or other governmental unit, while such vehicle is being used for the official purposes of said governmental unit.
  - (b) Any authorized emergency vehicle.
  - (c) Any taxicabs for hire, buses, or other vehicles being driven for business purposes.
- (5) **Penalty.** The penalties provided herein shall supersede the provisions of Section 2.21, Village Code, in the event of any conflict. Any person violating the provisions of this ordinance shall forfeit:
  - (a) The sum of \$50.00 upon the first conviction under this ordinance within a one (1) year period.
  - (b) The sum of \$100.00 upon the second conviction under this ordinance in a one (1) year period.
  - (c) The sum of \$200.00 upon the third and each subsequent conviction under this ordinance within a one (1) year period.

**2.23 WHERE TURNS PROHIBITED.** The operator of a vehicle shall not turn his vehicle so as to proceed in the opposite direction upon a highway at any of the following places:

(1) At all places set forth in §346.33, Wis. Stats., with the addition of the following places where the Village expressly exercises its authority over a street within its corporate limits:

- (a) In mid-block or at any intersection on the roadway between the hours of 8:00 p.m. and 5:00 a.m.:
  - 1. On South 108<sup>th</sup> Street from the North Village limits to the South Village limits.
  - 2. On West Forest Home Avenue from the East Village limits to the South Village limits.
  - 3. On West Janesville Road from South 108<sup>th</sup> Street to the West Village limits.