

## Chapter 290

### VEHICLES AND TRAFFIC

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[HISTORY: Adopted by the Village Board of the Village of Coleman 9-6-1983 as Title 8, Ch. 1 of the 1983 Code. Amendments noted where applicable.]

#### GENERAL REFERENCES

Alcoholic beverages — See Ch. 94.  
Bicycles — See Ch. 109.

Snowmobiles — See Ch. 258.  
Abandoned vehicles — See Ch. 287.

#### § 290-1. State traffic laws adopted.

Except as otherwise specifically provided in this chapter, the statutory provisions in Chapters 340 to 349, Wis. Stats., describing and defining regulations with respect to vehicles and traffic for which the penalty is a forfeiture only, including penalties to be imposed and the procedure for prosecution, are hereby adopted and by reference made a part of this chapter as if fully set forth therein. Any act required to be performed or prohibited by reference is required or prohibited by this chapter. Any future amendments, revisions or modifications of statutes incorporated herein are intended to be made part of this chapter in order to secure uniform statewide regulation of traffic on the highways, streets, and alleys of the State of Wisconsin.

#### § 290-2. Speed limits.

The provisions of §§ 346.57, 346.58 and 346.59, Wis. Stats., relating to the maximum and minimum speed of vehicles are hereby adopted as part of this section as if fully set forth herein.

**§ 290-3. Winter parking ban.**

No automobiles, motor trucks, buses, motorcycles or other similar motor vehicles or trailers or semitrailers used in connection therewith shall be parked on any street in the Village of Coleman between the hours from 2:30 a.m. to 6:00 a.m. during the months from November 15 to April 1. This is necessary to accommodate snow removal equipment.

**§ 290-4. Stopping or parking prohibited in certain specified places.**

A. No person shall stop, park or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, in any of the following places:

- (1) Within an intersection.
- (2) On a crosswalk.
- (3) On a sidewalk or sidewalk area, except when parking in such place is clearly indicated by official traffic signs or markers or parking meters.
- (4) Alongside or opposite any highway excavation or obstruction when such stopping or standing would obstruct traffic or when pedestrian traffic would be required to travel in the roadway.
- (5) On the roadway side of any parked vehicle unless double parking is clearly indicated by official traffic signs or markers.
- (6) Within 20 feet of the driveway entrance to a fire station.
- (7) Upon any portion of a highway where and at the time when stopping or standing is prohibited by official traffic signs indicating the prohibition of any stopping or standing.
- (8) In any place or manner so as to obstruct or hinder traffic.
- (9) Within 10 feet of a fire hydrant, unless a greater distance is indicated by an official traffic sign.
- (10) Upon any portion of a highway where and at the time when parking is prohibited, limited or restricted by official traffic signs.
- (11) Upon any bridge.

B. Schools.

- (1) During the hours of 7:30 a.m. to 4:30 p.m. on school days, no person shall stop, park or leave any vehicle standing, whether temporarily or otherwise, upon the side of any highway adjacent to a schoolhouse where designated by official signs reading "No Stopping, Standing or Parking 7:30 a.m. to 4:30 p.m. on School Days."
- (2) On highways adjacent to such schoolhouse where designated by official signs reading "No Parking 7:30 a.m. to 4:30 p.m. on School Days," the operator of a vehicle may stop upon such designated side of the highway thereof during such hours providing such stopping is temporary and only for the purpose of receiving or discharging passengers.

- (3) Parking is permitted on the side of any highway adjacent to such schoolhouse during such hours where signs prohibiting parking are not posted.
  - (4) This subsection shall not apply to a vehicle licensed as a common carrier while actually engaged in the receiving and discharging of passengers.
- C. No person shall park any vehicle for the primary purpose of displaying advertising on any street.
  - D. No person shall park or stop a vehicle on the left side of the street, except on one-way streets.
  - E. An automobile bearing special registration plates issued pursuant to § 341.14(1), Wis. Stats., to a person disabled by paraplegia or to a disabled war veteran is exempt from any ordinance imposing time limitations on parking in any street or highway zone and parking lot, whether municipally owned or a municipal parking utility, with one hour or more limitation, but the exemption granted by this section is limited to the person to whom the special plates were issued and to qualified operators acting under his express direction with the disabled person present.<sup>1</sup>

#### § 290-5. Exhibition of speed.

- A. It shall be unlawful for any person to operate a motor vehicle within the limits of the Village of Coleman in any manner that is, or tends to be, an exhibition of power or speed.
- B. The term "exhibition of power or speed" is hereby meant to include the operation of a motor vehicle in any manner where power in excess of that necessary for safe operation is used and from which it may reasonably be inferred that a display of unique power is intended or where acceleration is very rapid from any position in a roadway (moving, stopped or parked), from public facilities, private drives, stop signs or traffic signals. It is also to include the "revving" of the engine, where such revving is not intended to be for efficient operation of the engine and is immediately preceding the squealing or spinning of tires of such duration that it may reasonably be inferred therefrom that a display of acceleration is intended, and all erratic driving and other misconduct with a motor vehicle not covered elsewhere in this section.

#### § 290-6. Erection of official traffic signs and signals.

The Village Board shall be responsible for the erection and maintenance of appropriate standard traffic signs, signals and markings conforming to the rules of the State Department of Transportation, giving such notice of the provisions of §§ 290-2 through 290-4 as required by state law. Signs shall also be erected in such locations and manner as authorized by the Village Board as to give adequate warning to users of the street, alley or highway in question.

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<sup>1</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

**§ 290-7. School bus warning lights.**

- A. All school buses operating within the village limits, while loading or unloading children, shall come to a complete stop and use flashing lights while children are being loaded or unloaded or while waiting for children to cross the road prior to loading or after unloading.
- B. All vehicles within the village limits shall stop and remain stopped when either traveling in the same direction as the school bus or in the opposite direction of the school bus when adjacent to a school bus that is stopped with red lights flashing, and vehicles shall not proceed until the red lights are turned off.

**§ 290-8. Weight limits.**

- A. When signs are erected giving notice thereof, no person shall operate a vehicle of a gross weight in excess of 16,000 pounds in the Village of Coleman. The term "gross weight" means the weight of the vehicle equipped for service plus the weight of the load the vehicle is carrying.
- B. This section does not prohibit the ordinary use of the street for the purpose of obtaining orders for and delivering or moving supplies or other necessary commodities, or the furnishing of services, to or from any place of business or residence.

**§ 290-9. Minibikes and all-terrain vehicles.**

No person shall operate a minibike, go-kart, all-terrain vehicle or other motor vehicle within the village except on the property of the owner of the vehicle or on other property with the owner's permission.

**§ 290-10. Parking of vehicles over 10,000 pounds or 16 feet restricted. [Added 6-4-1985]**

No person owning or having control of any truck, trailer, truck power unit, tractor, bus or recreation vehicle in excess of 10,000 pounds gross weight, or over 16 feet in length, or having an enclosed area of a height of more than eight feet from the roadway, shall park the same upon any street, avenue or public way in the village between the hours of 6:00 p.m. and 7:00 a.m. One-hour parking will be allowed between 7:00 a.m. and 6:00 p.m. The provisions of this section shall not be deemed to prohibit the lawful parking of such equipment upon any street, avenue or public way in the village for the actual loading or unloading of goods, wares or merchandise; provided, however, that "loading" and "unloading," as used in this section, shall be limited to the actual time consumed in such operation. The Village Board may, however, designate specific truck parking zones.

**§ 290-11. Parking in driveways. [Added 6-4-1985]**

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.

**§ 290-12. Leaving keys in vehicle; parking vehicles with motor running. [Added 6-4-1985]**

- A. Leaving keys in vehicle. No person shall permit any motor vehicle in his custody to stand or remain unattended on any street, alley or other public area, except an attended parking area, unless either the starting lever, throttle, steering apparatus, gear shift or ignition of the vehicle is locked and the key for such lock is removed from the vehicle.
- B. 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 five minutes within 300 feet of any residence within the village between the hours of 10:00 p.m. and 7:00 a.m.

**§ 290-13. Unattended motorized machinery. [Added 6-4-1985]**

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

**§ 290-14. Unlawful removal of parking tickets. [Added 6-4-1985]**

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

**§ 290-15. Liability of owner. [Added 6-4-1985]**

When any vehicle is found upon a street or highway in violation of any provision of this chapter regulating the stopping, standing or parking of vehicles and the identity of the operator cannot be determined, the owner as shown by the ownership registration of the vehicle supplied by the Wisconsin Department of Transportation, or a comparable authority of any other state, shall be deemed to have committed the violation for purposes of enforcement of this chapter and specifically § 290-1 and shall be subject to the applicable forfeiture penalty, provided that the defenses defined and described in § 346.485(5)(b), Wis. Stats., shall be a defense for an owner charged with such violation.

**§ 290-16. Operation of vehicles in public parking lots and ramps. [Added 6-4-1985]**

- A. Unlicensed operators prohibited. No person who does not hold a valid operator's license shall operate a vehicle in any public parking lot or ramp or in any private parking lot or ramp held out for the use of parking for the general public.
- B. Traffic regulations applicable. All provisions of § 290-1 of this chapter and of the Wisconsin Statutes and laws incorporated herein by reference shall be applicable on any public parking lot or ramp and on any private parking lot, road or ramp held out for use of the general public for parking or vehicular travel.

**§ 290-17. Removal of illegally parked vehicles. [Added 6-4-1985]**

- A. Hazard to public safety. Any vehicle parked, stopped or standing upon a highway in violation of any of the provisions of this chapter is declared to be a hazard to traffic and public safety.
- B. Removal by operator. Such vehicle shall be removed by the operator in charge, upon request of any traffic officer, to a position where parking is permitted or to a private or public parking or storage premises.
- C. Removal by traffic officer. Any traffic officer, after issuing a citation for illegal parking, stopping or standing of an unattended vehicle in violation of this chapter, is authorized to remove such vehicle to a position where parking is permitted.
- D. Removal by private service. The officer may order a motor carrier holding a permit to perform vehicle towing services, a licensed motor vehicle salvage dealer or a licensed motor vehicle dealer who performs vehicle towing services to remove and store such vehicle in any public storage garage or rental parking grounds or any facility of the person providing the towing services.
- E. Towing and storage charges. In addition to other penalties provided in this chapter, the owner or operator of a vehicle so removed shall pay the reasonable cost of moving, towing and storage. If the vehicle is towed or stored by a private motor carrier, motor vehicle salvage dealer or licensed motor vehicle dealer, actual charges regularly paid for such services shall be paid. If the vehicle is stored in a public storage garage or rental facility, customary charges for such storage shall be paid. Upon payment, a receipt shall be issued to the owner of the vehicle for the towing or storage charge.

**§ 290-18. Enforcement.**

- A. Moving violations. This chapter, except nonmoving violations, shall be enforced in accordance with the provisions of §§ 345.20 to 345.34, Chapter 800 and § 66.0114, Wis. Stats.
- B. Stipulation of no contest. The Chief of Police or officer designated by him, upon request of any person charged with a violation of any provision of this chapter, after the issuance of a citation upon an official Wisconsin uniform citation and complaint form prescribed by § 345.11, Wis. Stats., may accept a signed stipulation of no contest as found on the reverse side of said uniform form. Said stipulation shall be accompanied by the amount of penalty prescribed by the schedule of penalties established by the County Court for violations of the state traffic laws as have been adopted by reference in § 290-1 of this chapter.
- C. Forfeitures to Clerk-Treasurer. The officer accepting forfeited penalties shall deliver them to the Village Clerk-Treasurer at least once in each seven days.<sup>2</sup>
- D. Bail bonds. Nothing in this section shall be construed to limit the right of proper authorities to accept bail bonds, deposits, certificates, or money deposits, or permit a person's release from custody on his own bond, as provided in § 66.0111, Wis. Stats.

<sup>2</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- E. Statement of notice. Any official, enforcement officer, or Village Attorney accepting a stipulation of no contest or bail under the provisions of this section or prosecuting a violation of this chapter shall inform the accused of the effect of a stipulation of no contest, forfeiture of bail, or of a conviction of the violation charged.<sup>3</sup>
- F. Nonmoving traffic offenses.
- (1) Direct payment of penalty permitted. Persons cited for violation of nonmoving traffic offenses described and defined in this chapter may discharge the penalty thereof and avoid court prosecution by forwarding within 48 hours of the issuance of the citation to the Coleman Police Department the fee requirement for violation. If not so forwarded, a final notice shall be sent to the alleged violator, and the penalty may be discharged by forwarding within five days of the date of such notice to the above-named office the fee requirement for violation. When payment is made as provided in this subsection, no court costs shall be charged.
  - (2) Court prosecution. If the alleged violator does not deliver or mail a deposit as provided in Subsection F(1) above, within five days of the date of the final notice, the Chief of Police shall take such further steps in the prosecution of the cited violation as may be provided for by law.
  - (3) Deposits. Officers receiving deposits for nonmoving traffic violations under this subsection shall pay over such deposits to the Municipal Judge on or before the next scheduled court date. Such payment shall be accompanied by an itemized statement for each deposit of the offense charged and the name of the depositor.

#### § 290-19. Violations and penalties.

- A. Forfeiture penalty. The penalty for violation of any provision of this chapter shall be a forfeiture as hereinafter provided together with the costs of prosecution and the penalty assessment imposed by § 757.05, Wis. Stats., where applicable. Payment of the judgment may be suspended by the sentencing judge for not more than 60 days. Any person who shall fail to pay the amount of the forfeiture, costs of prosecution and penalty imposed for violation of any provision of this chapter may, where otherwise permitted by law, upon order of the court entering judgment therefor and having jurisdiction of the case, be imprisoned until such forfeiture, costs and assessments are paid, but not exceeding 90 days.
- B. Forfeitures for uniform traffic offenses. Forfeitures for violations of any traffic regulations set forth in the Wisconsin Statutes adopted by reference in § 290-1 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 chapter of any offense for which an imprisonment penalty or fine may be imposed upon the defendant.
- C. Nonmoving violations. Any person who shall violate any provision of this chapter for which a penalty is not established by Subsections A and B of this section shall be subject

<sup>3</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

to a forfeiture of \$10. If the forfeiture is not paid within 10 days, the forfeiture shall be increased to \$20.

- D. 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 or to order 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.



# VILLAGE OF COLEMAN

## ORDINANCE NUMBER 2002-01

AN ORDINANCE AMENDING CHAPTER 220-15 (B) OF THE MUNICIPAL CODE OF ORDINANCES OF THE VILLAGE OF COLEMAN, WISCONSIN GOVERNING DISORDERLY CONDUCT.

THE VILLAGE BOARD OF THE VILLAGE OF COLEMAN, MARINETTE COUNTY, WISCONSIN DOES HEREBY ORDAIN THAT CHAPTER 220-15, SECTION B, BE AMENDED TO READ AS FOLLOWS:

B. Disorderly conduct with a motor vehicle.

- (1) No person shall, within the village, by or through the use of an automobile, truck, motorcycle, mini-bike, all-terrain vehicle or snowmobile, cause or provoke disorderly conduct with a motor vehicle.
- (2) Definition. Disorderly conduct with a motor vehicle shall mean, while operating or in control of a motor vehicle, to engage in conduct or activities which are violent, unreasonably loud, dangerous to persons or property, or otherwise against the public peace, welfare and safety, including but not limited to unnecessary or excessive spinning of the wheels, squealing of the tires, excessive acceleration of the engine, blowing of the horn, emitting unnecessary and loud muffler noise, causing the engine to backfire or causing the vehicle while commencing to move or while in motion to raise one or more wheels off the ground.

Approved and adopted this 5<sup>th</sup> day of August, 2002.

  
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Glenn A. Woulf, Village President

Attest:   
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Bev Noffke, Village Clerk

Publication Date:

8-7-02