

Chapter 202

VEHICLES AND TRAFFIC

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(HISTORY: Adopted by the Town Board of the Town of Pleasant Springs 11-7-89 by Ord. 89-1 as §§ 3.01 and 3.02 of the 1989 Code. Amendments noted where applicable.)

ARTICLE I

PARKING

[Amended in its entirety 11-4-2003]

§ 202.1 Adoption of statutory provisions.

The restrictions on stopping and parking vehicles found in §§346.50 through 346.55, Wis. Stats., are hereby adopted by reference and made part of this article as though fully set forth herein. For the purposes of this article, the definitions of words and phrases contained in Ch. 340, Wis. Stats., are hereby adopted by reference as though fully set forth herein.

§ 202-2. Parking Regulated. [Amended 4-10-2014]

It shall be unlawful for any person to routinely park, abandon or stop any motorized vehicle, trailer, or any object, on a town road and/or town road right-of-way located in the Town of Pleasant Springs.

Weather emergency regulations shall be in effect on all town roads and supersede the regulations as follows:

(1) The decision to declare a weather emergency shall be the responsibility of the Town Chairperson or his/her designee. The declaration of a weather emergency will occur when three inches of snow has fallen, or as conditions warrant. Notice will be given to the same Madison news outlets used by the Stoughton Area School District for school closings, and local cable TV.

(2) During a declared weather emergency, no motorized vehicle or any object shall be parked or placed on any town road or town road right-of way except in accordance with the terms of § 202-

4 and §202-5 of this article.

(3) The restrictions of this section shall begin with the onset of the weather event, upon the declaration of the weather emergency by the Town Chairperson or his/her designee, and remain in effect until three consecutive twenty-four hour periods have elapsed, or until the emergency is canceled or extended.

§ 202-3. Inoperable and unregistered vehicles.

It shall be unlawful for any person to park, abandon or stop any motor vehicle within the right-of-way of any Town road located in the Town of Pleasant Springs if the vehicle is not operable, except in the case of an emergency as described in § 202-4 below. It shall also be unlawful for any person to park, abandon or stop any motor vehicle within the right-of-way of any Town road located in the Town of Pleasant Springs if the vehicle is not properly registered as required by Ch. 341, Wis. Stats.

§ 202.4. Emergencies.

Pursuant to §346.50(1)(a), Wis. Stats., vehicles which become disabled while on the road in such a manner or to such an extent that it is impossible to avoid stopping or temporarily leaving the vehicle in the prohibited place may be parked along the right-of-way off the traveled portion of the Town road in a safe and reasonable manner to allow for passage of motor vehicles. No such emergency parking shall continue for longer than 48 hours.

§ 202.5 Manner of parking.

In circumstances where temporary parking in the right-of-way is permitted by this article, all such vehicles must be parked completely off of the paved surface of the right-of-way. The graveled shoulder of the right-of-way may be used for parking in those circumstances where parking is permitted by this article. In every case, parking shall be conducted in a manner that does not interfere with traffic on the road, does not obstruct a line of sight for persons traveling on the road observing other areas of pedestrian or vehicle traffic, and does not otherwise create a public safety hazard.

§ 202.6. Violations and penalties. [Amended 5-28-2004]

Any person, firm or corporation who or which shall violate any provision of this article shall, upon conviction thereof, forfeit the amount specified in Chapter 1, General Provisions, § 1-1 or be responsible for the costs of towing and/or removal, or both. Each violation and each day a violation continues or occurs shall constitute a separate offense.

Notwithstanding any other provision, or any other traffic regulation of the Town of Pleasant Springs, the forfeiture for a violation of any parking regulation or restriction shall be not less than Ten (\$10.00) Dollars or more than Two Hundred (\$200.00) Dollars, provided the person to whom the ticket or citation has been issued may settle the Town's citation by paying the minimum forfeiture to the Police Department within five (5) days of issuance. "local authority" replaces Police Department

Unpaid parking citations shall also be subject to the remedies described in Wisconsin Statutes Section 345.28(4), which are incorporated herein by reference. The "local authority" designated by Wisconsin Statutes Section 345.28(4) shall be the Town of Pleasant Springs Town Board or its designee. Whenever the Town Board or its designee notifies the State Department of Transportation of non-payment and non-appearance in response to a citation for a non-moving traffic violation, the Town Board or its designee shall specify that the Department is both to suspend the registration of the vehicle involved under Wisconsin Statutes Section 341.63(1)(c), and also refuse registration of any vehicle owned by the person under Wisconsin Statutes Section 341.10(7m). The costs of participating in the State Traffic Violation

and Registration Program shall be assessed to the person involved. Such costs include the pre-payment required by the Department of Transportation under Wisconsin Statutes Section 85.13, as well as a Fifteen (\$15.00) Dollar fee for the Town's administrative costs in preparing the notices.

ARTICLE II WEIGHT LIMITS AND USE OF TOWN ROADS

§202-7. Enactment of restrictions; posting and notice. [Amended 11-4-2003]

The Town Board of the Town of Pleasant Springs shall from time to time enact weight limits and use restrictions for Town roads¹, as appropriate under the circumstances then existing. Weight limits shall be posted and notice thereof given as required by § 349.16, Wis. Stats. The Town Board shall pass and implement such other regulations, rules and use restrictions as are appropriate to preserve the integrity and condition of Town roads and to preserve the orderly maintenance of Town Roads.

1. Editor's note: Throughout this article, the term "highway" was amended to read "road 11-4-2003.

§202-8. Permit required exceeding restrictions. [Amended 11-4-2003]

When it appears reasonably necessary for the operator or owner of a vehicle to exceed a weight limit or use restriction on a Town road, then such operator or owner shall make application to the Town for a permit to exceed the weight limit or use restriction in question. The Town Clerk or Public Works staff shall from time to time issue such permits, subject to approval by the Town Board, and reflecting such conditions as will enable the owner or operator to make reasonable and necessary use of Town roads while preserving and maintaining Town roads to the extent possible. Permits may include restrictions as to date, times of use and selected routes to be used.

§202-9. Policy.

It shall be the policy of the Town of Pleasant Springs to impose the most minimal amount of weight limits and restrictions possible, consistent with maintenance and preservation needs of Town roads. It shall be the Town's policy to avoid interference with agricultural enterprises, commerce and trucking to the extent reasonably possible, consistent with the need to preserve and maintain Town roads.

§202-10. Violations and penalties.

The penalties for exceeding weight limits and use restrictions shall be as provided under § 348.21, Wis. Stats., which is hereby adopted by reference and incorporated in this article as if fully set forth herein. Also adopted by reference are subsequent amendments to § 348.21, Wis. Stats., including renumbered statutes as may be enacted by the state legislature. If it appears that the penalty provisions thereof do not apply to the offense in question, then the penalties as set forth in Chapter 1, General Provisions, § 1-1 of the Town of Pleasant Springs Municipal Code shall apply.

ARTICLE III VEHICLES IN TOWN PARKS AND ON TOWN PROPERTY [Added 5-19-1992 by Ord. No. 92-2 (§ 3.04 of the 1989 Code)]

§ 202-11. Restrictions. [Amended 11-4-2003]

It shall be unlawful for any person to operate or ride in or on any automobile, truck, motorcycle, all-terrain vehicle, all-terrain cycle, snowmobile, other form of motorized vehicle, or any other form of motorized conveyance in any Town park or on any other Town property, except upon specifically

designated roadways, driveways, or parking lots. This Article III does not apply to persons engaged in authorized construction or maintenance activities conducted by the Town or its designees.

§ 202-12. Violations and penalties.

The penalty for violation of § 202-11 shall be as provided in Chapter 1, General Provisions, § 1-1.

**ARTICLE IV
REGULATION OF NEIGHBORHOOD ELECTRIC VEHICLES
[Amended 12-1-2009]**

§ 202-20. Definition.

- (a) "Connecting Highway" is defined as described in Wisconsin Statutes Section 340.01(9), including such revisions and re-numbering of such Statute as may be made from time to time.
- (b) Neighborhood Electric Vehicle means a vehicle subject to Sec. 340.01(36r), Wis. Stats.
- (c) "State Trunk Highway" is defined as described in Wisconsin Statutes Section 340.01(60), including such revisions and re-numbering of such Statute as may be made from time to time.

§ 202-21. Regulation.

- (a) A Neighborhood Electric Vehicle may be operated on any roadway that has a speed limit of 35 miles per hour or less within the boundaries of Lake Kegonsa State Park for the purposes of official maintenance and operation to the State Park only.
- (b) A neighborhood Electric Vehicle shall not be operated on a connecting highway or an intersection where the roadway crosses a state trunk highway, or on any roadway within the Town of Pleasant Springs other than the area identified in subsection (a), above,
- (c) Each person operating a Neighborhood Electric Vehicle within the boundaries of Lake Kegonsa State Park shall possess a valid driver's license.
- (d) Each person operating a Neighborhood Electric Vehicle within the boundaries of Lake Kegonsa State Park shall be granted all of the rights and be subject to all of the duties applicable to a driver of any motor vehicle in the State of Wisconsin, including maintaining insurance as required by State law, except as to the special regulations in this section and except as to those provisions by which their nature do not apply to the operation of a Neighborhood Electric Vehicle.
- (e) Each person operating a Neighborhood Electric Vehicle within the boundaries of Lake Kegonsa State Park shall observe all traffic laws and local ordinances regarding the rules of the road.
- (f) The DNR shall create a brochure that outlines this ordinance.

§ 202-22. Penalties.

- (a) Any person who shall violate this ordinance or any Wisconsin traffic law in a Neighborhood Electric Vehicle may be issued a Uniform Traffic Citation and is subject to the penalties described in Section 1-1 of this Code, with a deposit amount as described in the Uniform State Traffic Deposit Schedule of the Wisconsin Judicial Conference, including any variations or increases for subsequent offenses, which schedule is adopted by reference.

SECTION 2: SEVERABILITY

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and position or publications as provided by law.