

## CHAPTER 4

### TRAFFIC CODE

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#### **4.01 – STATE TRAFFIC FORFEITURE LAWS ADOPTED**

- (1) **State Traffic Forfeiture Laws Adopted.** Except as otherwise specifically provided in this ordinance, all provisions of Chapters 340 to 348 and 350, inclusive of the Wisconsin Statutes, describing and defining regulations with respect to vehicles and traffic for which the penalty is a forfeiture only, including penalties to be imposed and procedure for prosecution, are hereby adopted and by reference made a part of this ordinance as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this ordinance.

#### **4.02 – SPEED LIMITS**

The Village Board of the Village of Cassville hereby determines that the statutory speed limits on the following streets or portions thereof are unreasonable, unsafe or imprudent and modifies such speed limits under authority granted by Section 349.11 Wis. Stats. As follows:

(1) **Speed Limits Increased.** Speed limits established by Section 346.57 (4)(e), (f) and (g), Wis. Stats. are increased as hereinafter set forth upon the following streets or portions thereof;

(a) Thirty miles per hour:

On Amelia Street from West village limits to Jo Davies Street and from Wall Street to a point 174 feet East of its intersection with Klauer Street; and Jack Oak Road from its intersection with Crawford Street, east to its intersection with State Highway 133.

(b) Thirty-five miles per hour:

On Denniston Street from north village limits for a distance of 1/10<sup>th</sup> of a mile.

(c) Thirty-five miles per hour:

On Amelia Street from a point 174 feet east of its intersection with Klauer Street to the east village limits.

(2) **Speed Limits Decreased.** Speed Limits established by Section 346.57 (4)(e), (f) and (g), Wisconsin Statutes are decreased as hereinafter set forth upon the following streets or portions thereof:

(a) Ten miles per hour:

On Crawford Street, southerly from its intersection with Prime Street; and Okey Street from its intersection with Jack Oak Road, Southerly to the boat ramp.

(b) Fifteen Miles per hours: Mulberry Drive

#### **4.03 – THROUGH HIGHWAYS DESIGNATED**

In the interest of public safety and pursuant to Section 349.07, Wis. Stats. the following streets or portions thereof are declared to be through highways, and traffic signs or signals giving notice thereof shall be erected by the Chief of Police in accordance with Section 4.07 of this ordinance:

Amelia Street: Denniston Street from north Village limits to Amelia Street; Front Street from Jo Davis intersection to Wall Street intersection; Pennsylvania Street from Schaal Court to and through its eastern most intersection with Bluff Street, this to be effected by the erection and maintenance of a stop sign at the northeast corner of said intersection.

#### **4.04 – PARKING, STOPPING AND STANDING REGULATED**

(1) **Parking Limits.** When signs are erected in any block giving notice thereof, no person shall park a vehicle for longer than the period hereinafter specified upon the following streets or portions of streets:

- (a) **Overnight parking limit.** On Amelia Street between Wall Street and Jo Davies Street; Denniston Street from Amelia Street to Dewey Street; Frederick Street from Front Street to Amelia Street; and that part of the south side of Dewey Street commencing 40 feet east of the southeast corner of the intersection of Dewey Street and Denniston Street and ending 110 feet from the southeast corner of the intersection of Dewey Street and Denniston Street, there shall be no parking between the hours of 3:00am until 6:00am on each day of the week.
- (b) **15-minute Parking.** On the south side of Amelia Street, in front of Lot Three (3), Block Eleven (11) of the original Plat of the Village of Cassville, on the south side of Amelia Street, at any time between the hours of 8:00am to 5:00pm on all days except Sundays and holidays.
- (2) **48-hour Parking Limit.** No person shall park, stop or leave standing any vehicle or boat, whether attended or unattended, for a period of more than 48 consecutive hours on any street in the Village.
- (3) **Parking Near Schools.** The terms and provisions of Wisconsin Statute section 346.52(2), including any future amendments, are hereby adopted and by reference made a part of this ordinance as if fully set forth with the following exceptions:
- (a) No person shall park or leave standing any vehicle, whether attended or unattended, between 7:30am and 4:00pm on school days, on the school side (which is the easterly side) of Crawford Street between Amelia Street and Bluff Street. This prohibition shall not apply to school uses regularly stopped for the purpose of loading or unloading pupils. School buses which are not loading or unloading pupils may, however, be parked within the pull-in area located on the easterly side of Crawford Street between Bluff Street and Dewey Street.
- (b) No person shall park or leave standing any vehicle, whether attended or unattended, between 7:30am and 4:00pm on school days, on the school side (which is the northerly side) of Amelia Street between Catherine Street and Crawford Street.
- (c) Persons may park or leave standing vehicles on the school side (which is the southerly side) of East Bluff Street from a point located 30 feet east of East Bluff Street's intersection with Crawford Street and extending 150 feet easterly.
- (4) **Restricted Parking on Mulberry Drive.**
- (a) There shall be no parking at any time on the East side of Mulberry Drive from the corner of West Bluff Street, in a northerly direction 519 feet.
- (b) On the West side of Mulberry Drive, beginning at the corner of West Bluff Street and heading in a northerly direction, signage is located at the distances of 66 feet, 107 feet and 404 feet.

1. There shall be no parking at any time on the West side of Mulberry Drive from the corner of West Bluff Street to the 66-foot marker.
2. Two parking stalls are designated on the West side of Mulberry Drive between the 66-foot marker and the 107-foot marker.
3. There shall be no parking at any time on the West side of Mulberry Drive from the 107-foot marker and continuing to the 404-foot marker at the top of the hill.

(5) **Parking, Stopping and Standing within the Village of Cassville.** The Village of Cassville hereby adopts Section 349.13, Wisconsin Statutes. The Village Board hereby delegates to the Police Chief of the Village of Cassville the authority to establish temporary prohibitions of and limitations on the stopping, standing or parking of vehicles within the Village limits of the Village of Cassville, which prohibitions and limitations may be an addition to those imposed by Chapter 346 Wisconsin Statutes.

(6) **Parking on Class “B” Highway.** Parking of motor vehicles of a gross vehicle weight exceeding 36,000 pounds as evidenced by the license issued for such vehicles is hereby prohibited upon Class “B” highways within the Village of Cassville.

(6.5) **Semi-trailer Parking.** The parking of any semi-trailer upon any street, alley, public way, public boat landing or public parking lot within the Village of Cassville is hereby prohibited unless:

- (a) The semi-trailer is parked upon the south side of East Front Street between Wall Street and Iowa Street.
- (b) The semi-trailer is parked upon the east and west sides of Iowa Street between East Front Street and East Railroad Alley; or
- (c) The semi-trailer is temporarily parked for the actual loading or unloading of goods or merchandise. “Loading” or “Unloading” as used in this section shall be limited to the actual time consumed in such operation.

(7) **Parking Restriction on Prime Street.** No person shall park or leave standing any vehicle whether attended or unattended, at any time, on either the Mississippi River side or the railroad tracks side of that portion of Prime Street located within 40 feet of either side of the entrance to the Cassville Veteran’s Memorial.

#### **4.05 – WEIGHT LIMITS AND HEAVY TRAFFIC ROUTES**

(1) **Class “B” Highways Designated.** All streets and alleys within the Village of Cassville, Grant County, Wisconsin, except the following enumerated streets and alleys, are hereby designated Class “B” highways and shall be subject to the weight limitations imposed by Section 348.16 Wis. Stats., to-wit: Amelia Street; Denniston Street to its intersection with Amelia Street; Front Street from its intersection with Frederick Street to its intersection with Iowa Street; Des Moines Street south from its intersection with Amelia

Street; Wall Street south from its intersection with Amelia Street unless otherwise designated by the County Board.

- (2) **Heavy Traffic Routes Designated.** The following streets and parts of streets within the Village of Cassville are hereby designated as heavy traffic routes, to wit: Amelia Street; Denniston Street to its intersection with Amelia Street; Front Street from its intersection with Frederick Street to its intersection with Iowa Street; Des Moines Street south from its intersection with Amelia Street; Crawford Street from its intersection with Amelia Street to the DTE Stoneman entrance; Prime Street; Wall Street, south from its intersection with Amelia Street.
- (3) **Restrictions on Use of Streets by Heavy Traffic.** No vehicle, exceeding the weight limitations imposed by Section 348.16 Wis. Stats shall be operated on a Class “B” Highway, except for the purpose of obtaining orders for, moving or delivering supplies or commodities to or from a place or business or residence facing thereon. In no event shall the weight of any vehicle and load on any street exceed the limitations of Sections 348.15 or 348.16 (3) of the Wis. Stats. pertaining to Class “A” highways or deliveries on Class “B” highways.
- (4) **Weight Limitation on Alley.** No persons shall operate, drive, push, pull or cause any motor vehicle, trailer, tractor trailer or a combination thereof having a gross weight in excess of 8,000 pounds over or across the bridge located in that portion of an alley running parallel between Amelia Street and West Front Street and perpendicular between Denniston Street and Jo Davies Street.

#### **4.055 – COMPRESSION BRAKES**

- (1) No person shall use motor vehicle brakes within the Village limits of the Village of Cassville which are in any way activated or operated by the compression of the engine “jake braking” of any such motor vehicle or any unit or part thereof.
- (2) **Penalty.** The forfeiture for violation of this section shall be not less than \$20 nor more than \$50 for the first offense and not less than \$50 nor more than \$100 for the second or subsequent offenses within one year of the date of the first offense.

#### **4.06 – OFFICIAL TRAFFIC SIGNS AND SIGNALS**

- (1) **Chief of Police Authorized to Procure and Erect Signs and Signals.** The Chief of Police is hereby authorized and directed to procure, erect, and maintain appropriate standard traffic signs, signals and markings conforming to the rules of the state highway division giving such notice of the provisions of this ordinance as required by state law. Signs shall be erected in such locations and manner as the Chief of Police shall determine will best effect the purposes of this ordinance and give adequate warning to users of the street or highway.

- (2) **Removal of Unofficial Signs and Signals.** The Chief of Police shall have the authority granted by Section 349.09, Wis. Stats., and is hereby directed to order the removal of a sign, signal, marking or device placed, maintained or displayed in violation of Section 346.41, Wis. Stats. Any charge imposed on a premises for removal of such an illegal sign, signal or device shall be reported to the Village Board at its next regular meeting for review and certification.

#### **4.07 – BICYCLE REGULATIONS**

(1) **Operation.**

- (a) Operators of bicycles shall observe all traffic regulations applicable to motor vehicles. See Section 4.01 (Sections 346.02; 346.77 to 346.81 Wis. Stats.).
- (b) An operator of a bicycle shall observe all parking regulations applicable to motor vehicles. Bicycles may park on sidewalks in areas where there are no adjacent spaces available therefore and only where such parking does not interfere with pedestrian use of such sidewalk. **No bicycle shall be parked or left standing on Amelia Street from its intersection with Arthur Street to its intersection with Wall Street except in a bicycle rack. No bicycle shall be parked or left standing on Frederick Street from its intersection with Amelia Street to its intersection with Front Street.**
- (c) **No person shall ride or propel any bicycle upon any public sidewalk in the Village Business district** – replace Village with this?

(2) **Revocation.** REMOVE

(3) **Bicycle Registration.** REMOVE

#### **4.08 – SNOWMOBILE REGULATIONS**

- (1) **State Snowmobile Laws Adopted.** Snowmobile operators shall be subject to all applicable provisions of Chapters 340 to 348 and 350 Wis. Stats. as provided in Section 4.01 herein.

(2) **Snowmobiles Routes and Trails Designated.**

- (a) Except as provided in Subsection 350.02 and 350.045 of the Wis. Stats., or for snowmobile events authorized in accordance with Section 350.04, Wis. Stats., no person shall operate a snowmobile upon any public right of way, in any public park, golf course, or on any other public municipal property in the Village of Cassville except upon the following designated snowmobile routes and trails:

- (1) **Routes.** The following streets or portions thereof are designated snowmobile routes:

Upon the extreme northerly boundary of the airport to the west boundary line thereof; thence on such line to Jack Oak; thence on Jack Oak Road to the boundary of Riverside Park at Crawford Street; thence through Riverside Park along the marked path to Wall Street: thence either:

Continuing along the marked path through Riverside Park and then along the Village's right of way south of the railroad tracks and extending from the westernmost boundary of the park to Wyota Street; thence north onto Wyota Street to the Cassville Swimming Pool; or

North on Wall Street to East Railroad Alley; then west on East Railroad Alley to Denniston Street; thence either (a) along Denniston Street north to what is known as the BP gas station at the intersection of Denniston Street and Dewey Street; or (b) continuing west through the alley to Jo Davies Street to what is known as Okey's Market or thence west through the alley located between Dewey and Amelia Streets to the swimming pool property;

Thence west across the swimming pool property to highway 133 and thence north along highway 133 to the Village limits.

In addition, residents of the Village of Cassville may operate a snowmobile upon other streets or alleys within the Village when said operation upon other streets and alleys is for the sole purpose of traveling from his or her respective residence to the above-referenced snowmobile routes and from the above-referenced snowmobile routes to his or her residence provided the resident travels the shortest distance along other streets and alleys to get to and from the above-referenced snowmobile routes. If a dispute arises regarding the route which is the shortest distance between the residence and the snowmobile route, the shortest route as determined by the Police Department shall be binding.

- (b) The Chief of Police is directed and authorized to procure, erect and maintain appropriate snowmobile route, trail, and limit signs and markers as approved by the State Department of Natural Resources under Section 350.13, Wis. Stats.
- (c) No person shall fail to obey any route or trail sign, marker, or limit erected in accordance with this ordinance.

**(3) Additional Regulations.**

- (a) Speed. No person shall operate a snowmobile upon any public highway within the Village of Cassville at a speed in excess of fifteen (15) miles per hour. No person shall operate a snowmobile on any trail designated in Section 2 of this ordinance or in any public park, or recreation area at a speed in excess of fifteen (15) miles per hour.
- (b) Hours of Operation. No person shall operate a snowmobile within the Village of Cassville between the hours of 10:30pm and 7:00am when within 150 feet of a dwelling at a rate of speed exceeding ten (10) miles per hour.

- (c) Unattended Snowmobiles. No person shall leave or allow a snowmobile to remain unattended on any public highway of public property with the motor running or with the starting key in the ignition.
- (d) Operation on Sidewalks and Malls Prohibited. No person shall operate a snowmobile on any sidewalk or pedestrian way within the Village except as specifically authorized by Section 2 of this ordinance of for the purpose of crossing to obtain immediate access to an authorized area.

#### 4.085 – ATV REGULATIONS

- (1) **Intent.** The Village of Cassville, Grant County, adopts the following all-terrain vehicle route for the operation of all-terrain vehicles upon the roadways listed in (3).
- (2) **Statutory Authority.** This route is created as authorized by 23.33 (8)(b), Wis. Stats.
- (3) **Routes.** The following roads and alleys as identified on the attached map, which is incorporated herein, are hereby designated as all-terrain vehicle routes subject to the terms and conditions herein.
- (4) **Conditions.** As a condition for the use of this route, the following conditions shall apply to all operators (and passengers);
  - a. All ATV operators shall observe posted roadway speed limits
  - b. All ATV operators shall ride single file.
  - c. All ATV operators shall slow the vehicle to 10 mph or less when operating within 150 feet of a dwelling.
  - d. Routes must be signed in accordance with NR 64.12 and NR 64.12(7)c.
  - e. ATVs may not be operated on the above designated routes when there is snow on the ground.
- (5) **Enforcement.** This ordinance shall be enforced by any law enforcement officer of the Village of Cassville, Grant County, Wisconsin.
- (6) **Penalties.** Wisconsin state all-terrain vehicle penalties as found in s. 23.33 (13)(a) Wis. Stats., are adopted by reference.
- (7) **Severability.** The provision of this ordinance shall be deemed severable and it is expressly declared that the Village Board would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other person circumstances shall not be deemed affected.



#### 4.09 – PENALTY

The penalty for violation of any provision of this ordinance shall be a forfeiture as hereinafter provided together with the cost of prosecution and penalty assessment imposed as provided in Section 345.20 to 345.33 and 814.63 Wis. Stats.

- (1) **Uniform Offenses.** Forfeitures for violations of any provisions of chapters 341 to 348 and 350 adopted by reference in section 4.01 of this ordinance shall conform to forfeitures for violation of the comparable state offense, including any variations or increases for second offenses.
- (2) **Special Local Regulations.** The forfeiture for violation of sections of this ordinance not adopting provisions of Chapters 341 to 348 and 350, except violation of Section 4.07(1) 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 \$500.00 for the second offense within 2 years, and except that the forfeiture for all violations of Section 4.04 shall be not less than \$5.00 nor more than \$200.00

#### 4.10 – ENFORCEMENT

This chapter shall be enforced in accordance with the provisions of Chapter 345, Chapter 799, Section 66.12 and Section 814.63 Wis. Stats.

- (1) **Stipulation of Guilt or No Contest.** Stipulations of guilt or no contest may be made by persons arrested for violations of this ordinance adopting provisions of Chapters 341 to 348 and 350 Wis. Stats. in accordance with Section 345.27, Wis. Stats. Stipulations are not permitted for violations of subsection 346.62(1) and 346.63(1) Wis. Stats. or a local ordinance in conformity therewith. Stipulations shall conform to the form contained on the uniform traffic citation and complaint under Section 345.11 Wis. Stats. and may be accepted within 10 days of the date of the alleged violation. Stipulations may be accepted by the Clerk of Circuit Court or an officer of the Cassville Police Department.
- (2) **Deposits.** Any person stipulating guilt or no contest under subsection (1) of this section must make the deposit required under Section 346.25 Wis. Stats. or, if the deposit is not established under such statute, shall deposit a forfeited penalty as provided in the schedule established by the Wisconsin Judicial Conference in the Revised Uniform State Traffic Deposit Schedule, except that the court costs shall be in accordance with Section 814.83 Wis. Stats. Deposits may be brought or mailed to the Clerk of Circuit Court or an officer of the Cassville Police Department as directed by the arresting officer.
- (3) **Notice of Demerit Points and Receipts.** Every officer accepting a forfeited penalty or money deposit under this ordinance shall provide a receipt as provided in Section 345.26(3) Wis. Stats. Every officer accepting a stipulation under the provisions of this ordinance shall comply with the provisions of subsection 343.27, 343.28,

345.26(1) and (2), and 345.27 Wis. Stats., and shall require the alleged violator to sign a statement of notice in substantially the form contained on the uniform traffic citation and complaint promulgated under Section 345.11 Wis. Stats.

#### **4.11 – REFERENCE TO STATUTES**

Reference to specific statutory sections wherever used in this ordinance shall mean 1983-84, Wisconsin Statutes, together with all subsequent changes, amendments, revision, and modifications of Chapters 340 to 348 and 350 Wis. Stats.

#### **4.12 – SEVERABILITY**

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

#### **4.13 – STOP SIGNS DESIGNATED**

- (1) All vehicles traveling in the following listed streets shall stop at the intersection of those streets with State Trunk Highway 133, also known as Amelia Street; Jack Oak Road, Bluff Street, Wyota Street, Du Chien Street, Wisconsin Street, Jo Davies Street, Denniston Street, Frederick Street, Wall Street, Iowa Street, Des Moines Street, Cedar Street, Crawford Street, High School Drive, Catherine Street, Klauer Street, Okey Street, Forrest Street.
- (2) All vehicles traveling on Jack Oak Road shall stop at the intersection with Crawford Street.
- (3) All vehicles traveling on Prime Street shall stop at the intersection with Crawford Street.
- (4) All vehicles traveling on Park Road shall stop at the intersection with Crawford Street.
- (5) All vehicles traveling on Prime Street shall stop at the intersection with Wall Street.
- (6) All vehicles traveling on Denniston Street shall stop at the intersection with Front Street.
- (7) All vehicles traveling south on Wall Street shall stop at the intersection with Front Street.
- (8) All vehicles traveling on Front Street shall stop at the intersection with Wall Street.
- (9) All vehicles traveling on Dewey Street shall stop at the intersection with Denniston Street.

- (10) All vehicles traveling on Bluff Street shall stop at the intersection with Denniston Street.
- (11) All vehicles traveling on Mulberry Drive shall stop at the intersection with Bluff Street.
- (12) All vehicles leaving Riverside Park on the access road shall stop at Crawford Street.
- (13) All vehicles leaving the DTE Stoneman plant upon the access road thereto shall stop at the intersection with Crawford Street.
- (14) All vehicles traveling on Frederick Street shall stop at the intersection with Front Street.
- (15) All vehicles traveling north on Crawford Street shall stop at the intersections with Jack Oak Road, the DTE Stoneman access road and the Riverside Park access road.
- (16) All vehicles traveling south on Du Chien Street shall stop at the intersection with Bluff Street.
- (17) All vehicles traveling west on East Bluff Street shall stop at its intersection with Okey Street.
- (18) All vehicles traveling on East Dewey Street shall stop at its intersection with Crawford Street.
- (19) All vehicles traveling west on East Dewey Street shall stop at its intersection with East Dewey Street.
- (20) The yield sign currently controlling traffic traveling south on Crawford Street at its intersection with Dewey Street shall be replaced by a stop sign, which shall then control traffic traveling South on Crawford Street with its intersection with Dewey Street. Pursuant to Section 4.06 of the Municipal Code of the Village of Cassville, the Chief of Police is hereby directed to erect a stop sign at this location.