

## CHAPTER 3

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This Chapter authorizes Emergency Government, regulates traffic safety, and controls vehicles in the Village.

#### **3.01 STATE TRAFFIC LAWS ADOPTED**

Except as otherwise specifically provided in this Chapter, the statutory provisions in Chapters 340 to 348 Wis. Stat., 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 part of this Chapter as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this Chapter. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this Chapter in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the State of Wisconsin.

#### **3.02 OFFICIAL TRAFFIC SIGNS AND MARKERS**

- (1) **SIGNS.** The Village Board shall procure, erect and maintain uniform traffic control devices conforming to the Uniform Traffic Control Devices Manual promulgated by the Wisconsin Department of Transportation.
- (2) **PROHIBITED SIGNS.** No person other than a person authorized by the Village Board shall place or erect within the Village any sign, signal, marker, mark or monument.

#### **3.03 WINTER PARKING REGULATIONS**

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Commencing December 1 and ending April 1, no person shall park or leave standing any vehicle, between 1:00 a.m. and 6:00 a.m., on the even-numbered side of the street on the odd-numbered calendar days; and, on the odd-numbered side of the street on the even-numbered calendar days; except as posted otherwise.

### **3.04 Seventy Two ( 72 ) HOUR PARKING LIMIT**

Except by permit issued by the Village, no person shall park, stop or leave standing any vehicle, whether attended or unattended, for a longer continuous period of Seventy two (72) hours in one place upon any street, Village parking lot, alley, boulevard or tree bank unless the vehicle is moved at least ninety (90) feet in distance from the original space occupied by the vehicle.

### **3.05 SPEED LIMITS**

The maximum speed at which a vehicle may be driven upon any Village street under their jurisdiction is twenty-five (25) miles per hour except on alleys where the limit is fifteen (15) miles per hour or where maximum speed is posted and regulated on State trunk highways pursuant to Chapters 346.57 and 349.11, Wis. Stat.

### **3.06 THROUGH STREETS DESIGNATED**

The following streets within the Village are hereby declared "Through Streets": East Broadway from the East Village limits through Main Street to the end of the West Broadway Village limits. All other intersecting and side streets shall require motorists to stop before entering onto a designated Through Street wherever official stop signs have been placed.

### **3.07 WEIGHT LIMITATIONS**

All local roads shall be classed as "CLASS A" highways per Wis. Stat. § 348.15(b), and the maximum weight permitted per Wis. Stat. § 348.15(3)(c), unless the Village Board shall choose to designate any street maintained entirely by them a "CLASS B" highway under Wis. Stat. §§ 348.15(2), 348.16(2) and 349.17.

### **3.08 SAFE PARKING**

- (1) Parking is prohibited on any residential street where the safe flow of traffic is impaired, the problem of snow removal or street maintenance is obstructed, or the driveway or walkway to a residence is blocked.
- (2) Violators may have their vehicles removed by towing or such means as is practical and safe.
- (3) Any and all charges for vehicle removal shall be charged to and paid for by the owner of such vehicle.

### **3.09 RESTRICTED PARKING**

- (1) **DEFINITIONS.**
  - (A) "Park" or "Parking" means the halting of a vehicle, whether occupied or not, except

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temporarily for the purpose of and while actually engaged in loading and unloading of passengers.

(B) "Sidewalk" means that portion of a highway between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, constructed for use of pedestrians.

(C) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except railroad trains. A snowmobile shall not be considered a vehicle except for purposes made specifically applicable by statute.

(2) PARKING PROHIBITED AT ALL TIMES. Except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers or property and while the vehicle is attended by a licensed operator so that it may be moved promptly in case of an emergency or to avoid obstruction of traffic, no person shall at any time park or leave standing any vehicle, upon:

(A) Any part of a highway where and at the time when parking is prohibited, limited or restricted by official traffic signs.

(B) On a sidewalk or sidewalk area.

(C) Upon public or private property, without the permission of the owner or lessee of said private or public property, contrary to a posted sign thereon, if there is in plain view on such property a "No Parking" sign, or a sign indicating limited or restricted parking. Owners or lessors of such property may prohibit parking, may restrict parking, or limit parking, and may permit parking by certain persons and prohibit it or limit it as to other persons.

### 3.10 NON-OPERABLE VEHICLES

Abandoned and non-operable vehicles tend to depreciate property values, create a nuisance and offend the aesthetic appearance of a neighborhood.

(1) DEFINITIONS.

(A) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except railroad trains. A vehicle includes farm machinery.

(B) "Motor Vehicle" means a vehicle which is self-propelled.

(C) "Abandoned Vehicle" means a vehicle allowed to remain parked, standing or stopped on any public place, street, alley, highway or roadway for a period in excess of seventy-two (72) hours.

(D) "Non-Operable Vehicle" means a vehicle in one of the following conditions:

(i) A vehicle which is wrecked, junked, dismantled in part or totally, or which given some time and such circumstances as reasonably appear incapable of transporting persons or property or to be operated upon the highway and is left parked, standing or stopped on any public place, street, alley, highway or roadway for a period of seventy-two (72) hours.

(ii) A vehicle allowed to remain parked, standing or stopped upon private property, not a licensed junk yard for a period of thirty (30) days and not stored in a garage or other enclosure shielding it from public view.

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- (2) PROHIBITED CONDUCT.
  - (A) No person, firm or corporation shall abandon a vehicle in the Village.
  - (B) No person, firm or corporation shall permit a non-operable vehicle to remain on public property for more than seventy-two (72) hours or private property for more than thirty (30) days.
  - (C) No person owning, leasing, occupying, possessing or having charge or custody of any premises shall permit a non-operable vehicle to remain on the premises more than thirty (30) days.
- (3) IMPOUNDING AND JUNKING. Any law enforcement person contracted by the Village of Rock Springs is hereby authorized to remove any vehicle which is abandoned or non operable according to the foregoing definitions.
- (4) EMERGENCY REMOVAL. Any law enforcement person contracted by the Village of Rock Springs is hereby authorized to remove or to have removed any vehicle whose location or existence jeopardizes public safety by either creating an unsafe condition or by significantly hindering the efficient movement of traffic.
- (5) DISPOSAL OF UNCLAIMED VEHICLES. At any time prior to sale of impounded vehicles as herein provided, any person establishing his ownership or right of possession to such vehicle may reclaim and obtain possession of the same by paying to the Village a reasonable sum for the storage and towing thereof and other expenses incident to the care of same.

After any such vehicle shall have been stored as aforesaid for thirty (30) days or more and shall not have been reclaimed as aforesaid, the Village may sell the same at public auction. Notice of such sale shall be published in the official Village newspaper once a week for three (3) consecutive weeks, but the same notice may include one or more vehicles. At such sale, the highest bid in cash for any such vehicle shall be accepted; unless the same is, in the judgement of the Village Board, inadequate, in which event all bids may be rejected. In case all bids are rejected or none at all are received, the Village may in their discretion either re-advertise the sale or adjourn the same from time to time to a definite date each time or sell such vehicle at a private sale or junk the same. After deducting the reasonable and necessary expenses incident to the care and sale of any vehicle, the balance of the proceeds shall be paid to the Clerk/Treasurer and credited to the general Village fund.

The sale of a vehicle under the provisions of this ordinance shall forever bar all prior claims thereto and interest therein except as hereinafter provided.

At any time within two (2) years after the sale of a vehicle as provided herein, any person claiming ownership of such vehicle or a financial interest therein may present a claim to the Village Board setting forth such facts as are necessary to establish such ownership or interest. If the Village Board is satisfied as to the justice of such claim, it may allow the same, but in no case shall the amount allowed exceed the sum paid into the Village treasury as the result of the sale of such vehicle nor the amount of the interest of the claimant therein.

- (6) WARNING. A law enforcement person contracted by the Village of Rock Springs may, in non-emergency cases, issue a warning to the owner of the abandoned or non-operable vehicle or

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the person owning, leasing or in charge of the premises where there is located a non-operable vehicle.

A citation for violation of this ordinance shall be issued at the end of seventy-two (72) hours unless:

- (A) The non-operable vehicle is removed from the Village.
- (B) The vehicle is stored or enclosed from public view or placed in an authorized junk yard.
- (C) The vehicle is made operable to include licensing when the vehicle is eligible for a license.

### **3.11 DISPLAY OF POWER**

No person shall make unnecessary and annoying noises with a motor vehicle by squealing tires, excessive acceleration of engine or by emitting unnecessary and loud exhaust system noises, except for specially permitted events.

### **3.12 SNOWMOBILES**

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

- (A) 350.01 Definitions
- (B) 350.02 Operation of Snowmobiles on or in the Vicinity of a Highway
- (C) 350.03 Right of Way
- (D) 350.04 Snowmobile Races, Derbies and Routes
- (E) 350.045 Public Utility Exemption
- (F) 350.047 Local Ordinance to be Filed
- (G) 350.05 Operation by Youthful Operators Restricted
- (H) 350.055 Safety Certification Program Established
- (I) 350.06 Firearms and Bows
- (J) 350.07 Driving Animals
- (K) 350.08 Owner Permitting Operation
- (L) 350.09 Head Lamps, Tail Lamps and Brakes
- (M) 350.10 Miscellaneous Provisions for Snowmobile Operation
- (N) 350.12 Registration for Snowmobiles
- (O) 350.13 Uniform Trail Signs and Standards
- (P) 350.15 Accident and Accident Reports
- (Q) 350.17 Enforcement
- (R) 350.16 Local Ordinances
- (S) 350.19 Liability of Landowners

### **3.13 ENFORCEMENT PROCEDURE**

(1) UNIFORM CITATION. The uniform citation promulgated under Wis. Stat. § 345.11, shall be used

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for all moving and non-moving traffic violations, except parking violations.

(2) REGISTRATION RECORD OF VEHICLE AS EVIDENCE. When any vehicle is found upon a street, highway or other public right of way in violation of any provision of this Code 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 the enforcement of this section and shall be subject to the applicable forfeiture penalty; provide, however, that the defenses defined and described in Wis. Stat. § 346.485(5), shall be a defense for an owner charged with such violation.

### **3.14 RAILROAD CROSSING**

- (1) SAFETY. Public safety and public convenience requires limiting the blocking of intersections of Village streets and roads by railroad trains, locomotive or cars; and the location of the fire department for the Village and surrounding area requires crossing of the railroad by firemen and/or fire trucks.
- (2) PROHIBITION. It shall be unlawful to stop any railroad train, locomotive or car upon or across any highway or street crossing, outside of cities, or leave the same standing upon such crossing longer than ten (10) minutes, except in cases of accident.

### **3.15 DYNAMIC BREAKING DEVICES PROHIBITED**

- (1) Definition. A "dynamic braking device" (commonly referred to as a Jacobs brake, engine brake or compression brake) means a device primarily on semi tractor trucks for conversion from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes.
- (2) Use Prohibited. It is unlawful for any person to operate any motor vehicle with a dynamic braking device engaged, except for the aversion of imminent danger, within the Village limits.

### **3.16 SCHOOL BUS WARNING LIGHTS**

- (1) USE OF RED WARNING LIGHTS BY SCHOOL BUSES. All school buses, as that term is defined by Wis. Stat. § 340.01(56), shall display their flashing red warning lights within the Village of Rock Springs as required by Wis. Stat. § 346.48(2)(a), except that flashing red warning lights shall not be displayed when loading or unloading passengers directly from or onto school grounds or that portion of the right-of-way between the roadway and the school grounds. The operator of a vehicle which approaches from the front or rear of any school bus which is stopped on a street or highway when the bus is equipped according to Wis. Stat. § 347.25(2) and when it is displaying flashing red warning lights, shall stop the vehicle not less than twenty (20) feet from the bus and shall remain stopped until the bus resumes motion or the operator extinguishes the flashing red lights.

### **3.17 ATV/UTV OPERATION**

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### AN ORDINANCE TO ESTABLISH AN ALL-TERRAIN VEHICLE (ATV) AND UTILITY-TERRAIN VEHICLE (UTV) ORDINANCE AND REGULATE THE OPERATION OF ATV/UTV VEHICLES IN THE VILLAGE OF ROCK SPRINGS, SAUK COUNTY, WISCONSIN.

- (1) This ordinance shall be referred to as the ATV/UTV Ordinance. The purpose of this Ordinance is to establish all-terrain vehicle and utility terrain vehicle routes on public roadways in the Village and to regulate the operation of such vehicles on such routes in the Village to provide safe and healthful conditions for the personal use of ATVs/UTVs consistent with public rights and interest.
- (2) Authority - The Village Board of the Village of Rock Springs has specific authority to adopt this Ordinance under Wis. Stats. §§ 23.33(8)(b) and 23.33(11)(a) and (am).
- (3) State Laws ATV/UTV Laws Adopted - The statutory provisions found in Wis. Stats. § 23.33 is adopted by reference as part of this Ordinance as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated by reference herein is required or prohibited by this Ordinance. Any future amendments, revisions or modifications of the statutes incorporated herein are made a part of this chapter in order to secure uniform statewide regulation of ATVs and UTVs.
- (4) The Village of Rock Springs authorizes the operation of All-Terrain Vehicle (ATV)/Utility Terrain Vehicle (UTV) on the following routes:
  - 1<sup>st</sup> Street
  - 2<sup>nd</sup> Street
  - Ash Street
  - Bender Street
  - Elm Street
  - Hill Street
  - Holtz Street
  - Madison Street
  - Montgomery Street
  - Oak Street
  - Park Street
  - Pine Street
  - Railroad Street
  - River Street
  - Short Street
  - Smythe Street
  - In addition, the Village authorizes the operation of ATV/UTV Routes on N. River Street (STH 136) from Broadway Street (STH 154 & STH 136) to Elm Street for the purpose of crossing bridge over Narrows Creek and on E. Broadway (STH 136) from N. River Street (STH 136)/S. River Street (CTH DD) to Montgomery Street for the purpose of crossing bridge over Baraboo River, provided the operators comply with Wis. Stats. §§ 23.33(11)(am)3.
  - In addition, as authorized by Wis. Stats. §§ 23.33(11)(am)4, the Village authorizes the operation of ATV/UTV Routes on the following State Highways:
    - STH 136 (N. River Street) from Elm Street to north limits of the Village of Rock Springs.
    - STH 136 (E. Broadway) from Montgomery Street to Smythe Street.
    - STH 154 (W. Broadway Street) from STH 136 (N. River Street) to west limits of Village of Rock Springs.

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- (5) Under the direction of the Village, route signs shall be provided by and shall be marked by the Sauk Ridge Runners ATV Club or their successor with uniform all-terrain vehicle route signs in accordance with Wisconsin Administrative Code § NR 64.12 (7). Signage shall be inspected annually and shall be maintained by the Sauk Ridge Runners ATV Club or their successor. The Village shall be notified immediately in any change in responsibility for maintenance of ATV/UTV Route signs.
- (6) Operation of ATVs and UTVs on authorized ATV/UTV routes shall be subject to all provisions of Wis. Stats. § 23.33, which has been adopted above in full by reference. In addition, pursuant to Wis. Stats. § 23.33(8)(d), the Village of Rock Springs restricts operation of ATVs and UTVs on the designated ATV/UTV routes as follow:
  - (a) Operation of ATVs and UTV is limited to 6:00 AM to 10:00 PM.
  - (b) ATVs and UTVs shall operate at the posted speed limit.
- (7) A copy of this ordinance shall be sent by the Village Clerk to the Sauk County Sheriff's Department, Wisconsin State Patrol, and to the Wisconsin Department of Natural Resources.
- (8) This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the state of Wisconsin.
- (9) Any person who violates any section of this ordinance or statutes adopted by reference, shall be subject to the penalties as set forth in Wis. Stats. § 23.33 (13). Any person violating any provision of this Ordinance shall, upon conviction, be subject to the forfeiture as provided under the statute.
- (10) If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.
- (11) This ordinance is effective upon publication of this ordinance. The Village Clerk shall properly publish this ordinance as required under Wis. Stats. § 61.32. Adopted this 27 day of June, 2017

### **3.17 Recreational Vehicle Use**

- (1) Definition, Recreational Vehicle ("RV") is a motorized or towable vehicle designed for temporary living quarters for travel, recreation, or camping. Includes travel trailers, motorhomes, and campers.
- (2) Limit: No more than one RV per parcel may be parked or stored on private property
- (3) Street Parking: Parking on public streets, alleys, or rights-of-way is prohibited except for short-term loading or unloading (not to exceed 48 hours).
- (4) On-Property Location: RVs may be parked in the side or rear yard at least five (5) feet from property lines on a hard or gravel surface. Limited front-yard parking is allowed only when no other option exists.
- (5) Registration: All RVs must be properly registered and licensed as required by law.
- (6) Use Restrictions: RVs may not be used for living, camping, or cooking while parked on private property, except for short-term stays (up to 14 days per year where permitted).

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- (7) Utility Hookups: Permanent connections to water, sewer, or electrical service are prohibited. Temporary electric use for maintenance or battery charging is permitted.
- (8) Storage and Safety: RVs may not be used for the storage of unrelated goods and must not block sidewalks, driveways, or streets.
- (9) Permit Required: All RVs parked or stored on private property must obtain a parking permit from the Village Office. Permits help ensure compliance with setback, surface, and registration requirements.
- (10) Special Exemptions: Property owners may apply for a special parking exemption due to unique circumstances.
- (11) Requests must be submitted in writing to the Village Clerk's Office.
- (12) Exemptions are subject to Village Board review and approval.
- (13) Approved exemptions may include conditions, duration limits, or revocation for noncompliance.

Failure to comply with these regulations may result in citations, fines, or removal of the vehicle at the owner's expense.