

**TITLE 7. MOTOR VEHICLES AND TRAFFIC**

	Title/Page
Chapter 7.1. Traffic	
Section 7.1.02. Wisconsin Traffic Laws Adopted	7/1
Section 7.1.06. Traffic Signs and Signals	7/4
Section 7.1.14. Disorderly Conduct with a Motor Vehicle	7/5
Section 7.1.18. Municipal Ticket – Other	7/6
Section 7.1.20 Prohibiting Use of Compression Brakes	7/7
Chapter 7.2. Parking	
Section 7.2.02. Parking Prohibitions	7/7
Section 7.2.03 Parking Violation Ticket	7/9
Section 7.2.06. Miscellaneous Nonmoving Violations	7/11
Section 7.2.08 Non Moving Violation and Registration	7/11
Chapter 7.3. Off Road Motor Vehicle Operation	
Section 7.3.04. Snowmobiles	7/12
Section 7.3.06. All Terrain Vehicles	7/13

---

**SECTION 7.1.02. WISCONSIN TRAFFIC LAWS ADOPTED**

**(1)** Except as otherwise specifically provided in this Code, the statutory provisions in Secs. 340 to 348 and 941.01 Wis. Stats., as they presently exist or may hereafter be amended, describing and defining regulations with respect to vehicles and traffic, for which the penalty imposed is a forfeiture only, including penalties, penalty assessments and procedures for prosecution, are adopted by reference and made a part of this Code as if fully set forth herein.

**(2)** Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this Code. Any future 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.

**(3)** Reference to Statute. For the purposes of construction and enforcement of this title, all references to the Wisconsin statutes shall be as those statutes presently exist or as they may be hereafter amended.

**(4)** Penalties. The penalties for the violation of this section shall be as set forth in Section 1.4.02., of the Lake Hallie Village Code, which hereby adopts by reference the State of Wisconsin Revised Uniform State Traffic Deposit Schedule (“USTDS”) as may from time to time be amended.

**(5)** Specific Sections Adopted. Sections of 340 through 348 Wis. Stats. adopted by reference shall include but not be limited to the following:

#### WORDS AND PHRASES

340.01 Words and Phrases Defined

#### REGISTRATION OF VEHICLES

341.11(4) Display of Registration Plates  
341.15 Display of Registration Plates  
341.16(4) Issuance of Duplicate Plates  
341.42(4) Reciprocity Permits  
341.55 Penalty for Misuse of Plates  
341.57 Registration of Finance Companies and Banks  
341.63 When Registration is to be Suspended

#### VEHICLE TITLE AND ANTI-THEFT LAW

342.05(4) Certificate of Title Required  
342.15(5), (6) and (7) Transfer of Interest in Vehicle  
342.23 Secured Party’s and Owner’s Duties  
342.30, 342.31, 342.34 Anti-theft and Anti-fraud Provisions

#### OPERATORS’ LICENSES

343.01 Words and Phrases Defined  
343.305 Implied Consent  
343.35 Surrender of Licenses upon Cancellation, Revocation or Suspension  
343.45 to 343.46 Unlawful Practices Relative to Licenses  
343.60 to 343.72 Licensing of Driver Schools and Instructors  
343.70 Penalty

#### FINANCIAL RESPONSIBILITY

344.01 Words and Phrases Defined  
344.45 to 344.47 Penalties for Violation of Chapter  
344.51 Financial Responsibility for Domestic Rented Vehicles

#### CIVIL AND CRIMINAL LIABILITY

345.01	Words and Phrases Defined
345.20 to 345.53	General Provisions in Traffic Forfeiture Actions
345.55	Traffic Officers not to Profit from Arrests

## RULES OF THE ROAD

346.01	Words and Phrases Defined
346.02	Applicability of Chapter
346.03	Applicability of Rules of the Road to Authorized Emergency Vehicles
346.04 (1) and (2), 346.05 to 346.16	Driving, Meeting, Overtaking, Passing
346.17	Penalty for Violating Secs. 346.04 to 346.16
346.18 to 346.21	Right-of-way
346.22	Penalty for Violating Secs. 346.18 to 346.21
346.23 to 346.29	Drivers and Pedestrians
346.30	Penalty for Violating Secs. 346.23 to 346.29
346.31 to 346.35	Turning and Stopping and Required Signals
346.36	Penalty for Violating Secs. 346.31 to 346.35
346.37 to 346.42	Traffic Signs, Signals and Markings
346.37(1)(c)3	Right Turns at Signal Intersections
346.43	Penalty for Violating Secs. 346.37 to 346.42
346.44 to 346.48	Required Stops
346.49	Penalty for Violating Secs. 346.44 to 346.48
346.50 to 346.55	Restrictions on Stopping and Parking
346.57(2), (3) and (4)(a) to (c)	Speed Restrictions - First Offense in a Year
346.57(4)(d), (5) and (6) to 346.595	Speed Restrictions
346.60	Penalty for Violating Secs. 346.57 to 346.595
346.60(3m)(a)	Double Fines for Construction and Maintenance Zones
346.61	Sections Relating to Reckless and Drunken Driving
346.61(1) and (3)	Reckless Driving
346.63(1), (3) and (4)	Operating Under Influence of Intoxicant
346.64	Employment of Drunk Operators.
346.65(1) and (2)	Penalty for Violating Secs. 346.62 to 346.64
346.66	Sections Relating to Accident and Accident Reporting
346.68 and 346.69	Duty upon Striking Unattended Vehicle--Upon Striking Property on or Adjacent to Highway--First Offense Within a Year
346.70(1), (2) or (3), 346.71, 346.72, 346.73	Duty to Report Accident, Etc.
346.70(4)	Police and Traffic Agencies to Report
346.70(5)	Falsifying Reports - First Offense Within a Year
346.77 to 346.81	Bicycles and Play Vehicles
346.82	Penalty for Violating Secs. 346.77 to 346.81
346.87 to 346.94	Miscellaneous Rules
346.95	Penalty for Violating Secs. 346.87 to 346.94

## EQUIPMENT OF VEHICLES

347.01 to 347.05	General Provisions
347.06 to 347.29	Lighting Equipment
347.30	Penalty for Violating Lighting Equipment Requirements
347.35 to 347.49	Other Equipment
347.485	Protective headgear for motorcyclists
347.486	General requirements
347.487	Seating requirements
347.50	Penalty for Violating Secs. 347.35 to 347.49

VEHICLES--SIZE, WEIGHT AND LOAD

348.01 to 348.02	Size, Weight, Load - General Provisions
348.05 to 348.10	Size and Load
348.11	Penalty for Violating Size and Load Limitations
348.15 to 348.20	Weight
348.21	Penalty for Violating Weight Limitations
348.25 to 348.27	Permits
348.28	Permits to be Carried - Penalty

*(Formerly Hallie Ordinance No. 101(1) adopted August 2, 1982, subsequently amended)*

**SECTION 7.1.06. TRAFFIC SIGNS AND SIGNALS.**

**(1) Authorization.**

**(a)** Whenever traffic regulations created by this title, including any State of Wisconsin regulations adopted by reference, require the erection of traffic control devices for enforcement, the Chief of Police is authorized and shall obtain, erect and maintain uniform traffic control devices conforming to the Uniform Traffic Control Devices Manual as issued by the Wisconsin Department of Transportation.

**(b)** Where Wisconsin Statutes grant discretion to local governments in erection or placement of traffic control devices, those devices shall be erected in such location and manner as determined by the Chief of Police, or his designee, to carry out the purposes of this title and provided adequate warning to vehicles operating on the streets and highway in the Village.

**(c)** Construction Zones. In addition to the above the Village retains authority pursuant to Sec. 349.11(10) Wis. Stats. to post temporary speed limit signs where road construction, reconstruction, maintenance or repair is performed.

**(2)** Official Signs and Signals. All traffic control devices as they presently exist and as they may hereafter exist are designated as the official signs and signal of the Village of Lake Hallie.

**(3)** Removal. The Chief of Police shall have the authority granted by statute and herein to remove any traffic control device erected or maintained in violation of this title or state regulations.

*(Formerly Hallie Ordinance No. 101(2) "Official Speed Limits of the Town of Hallie," May 15, 1989 and subsequently amended and Ordinance No. 101(3) "Official Stop Signs of the Town of Hallie" adopted February 6, 1989 and subsequently amended)*

#### **SECTION 7.1.14. DISORDERLY CONDUCT WITH A MOTOR VEHICLE**

**(1)** Disorderly Conduct. No person shall cause, by excessive and unnecessary acceleration, the tires of any vehicle to spin and emit loud noises or to unnecessarily throw stones or gravel; nor cause to be made by excessive and unnecessary acceleration any loud noise as would disturb the public peace. No person shall otherwise operate a motor vehicle in a manner that would disturb public peace or endanger the safety of other motorists, pedestrians or property.

**(2)** Off Street Operation. No person shall, on any off street area used for a park, recreation or public purposes in the Village of Lake Hallie, operate a motor vehicle in such a manner as to destroy or damage grass, sod, trees, shrubbery or other property.

**(3)** Except as provided in Sec. 347.38(1) Wis. Stats., no person may operate, park, stop or leave standing a motor vehicle while using a radio or other sound amplifying, producing, or recording device, which emits sound from the vehicle that is audible under normal conditions from a distance of seventy-five (75) feet or more.

**(a)** Exceptions to the above include:

1. Emergency vehicles.
2. Public utility vehicles.
3. Vehicle being used in a public assembly or procession.
4. Vehicle alarms.
5. Motorcycles outside commercial or residential areas.

**(b)** Seizure. If the operator or owner of such vehicle emitting such noise has been cited for violation of this section three (3) times within two

(2) years a law enforcement officer may seize the offending device and dispose of it in the manner set forth in Sec. 66.948(2) Wis. Stat. If the offending device cannot be easily removed, the officer may impound the offending vehicle for a period of five (5) days to allow Village personnel, or designated agents, to remove the equipment. The owner or violator shall pay for such reasonable costs of removal and impound fees, including towing.

(4) Penalty. The penalty for violation of this section shall be as specified in the Village of Lake Hallie Code, Section 1.4.02., together with restitution, if applicable.

*(Formerly Hallie Ordinance No. 101(5) "Exhibition Driving" adopted July, 1995)*

### **SECTION 7.1.18. MUNICIPAL TICKET – OTHER**

(1) As an alternative to the forfeiture amount set forth in the Village of Lake Hallie Bond and Forfeiture Schedule for ordinance violations, or the Uniform State Traffic Deposit Schedule for traffic violations, the Village of Lake Hallie may issue a municipal ticket for infractions other than parking violations.

(2) A municipal ticket for a non-parking infraction shall not be issued in lieu of a municipal or traffic citation at the time of the ordinance or traffic violation. The issuance of a municipal ticket for a non-parking infraction is limited to those instances when, in the course of plea negotiations, the Village of Lake Hallie determines a municipal ticket for a non-parking infraction is an appropriate sanction that is consistent with and in furtherance of the public interest.

(3) The penalty imposed on a municipal ticket for a non-parking infraction shall not exceed \$500.00. No fees or costs shall be added to the amount of a municipal ticket for a non-parking infraction issued under this section.

(4) The Village of Lake Hallie shall not issue a municipal ticket for a non-parking infraction unless the person who was originally cited for an ordinance or traffic violation agrees to the issuance of a municipal ticket for a non-parking infraction in return for the dismissal of the ordinance or traffic citation in circuit court.

(5) Payment of a municipal ticket for a non-parking infraction under this section shall be made directly to the Village of Lake Hallie as directed by the Village of Lake Hallie attorney or other designated representative.

(6) Payment of a municipal ticket for a non-parking infraction is due within the time frame agreed upon in writing between the Village of Lake Hallie and a person who agrees to the issuance of a municipal ticket in return for the dismissal of the ordinance or traffic citation that was originally issued.

(7) The Village of Lake Hallie shall prosecute the originally issued municipal or traffic citation in circuit court if a person fails to pay the municipal ticket for a non-parking infraction on or before the date payment is due.

(8) Payments received by the Village of Lake Hallie on municipal tickets for non-parking infractions shall be deposited into the accounts maintained by the Village of Lake Hallie.

### **SECTION 7.1.20 PROHIBITING USE OF COMPRESSION BRAKES**

(1) Compression Brakes Prohibited. It shall be unlawful in the Village of Lake Hallie for any vehicle to use compression brakes (jake brakes) or to downshift and release the clutch to use the vehicle's engine compression to reduce speed or stop the vehicle.

(2) Defense. It shall be an affirmative defense to prosecution under this section that the use of compression brakes was necessary for the protection of persons or property and the vehicle could not be otherwise slowed.

(3) Penalty. The penalty for violation of this section shall be as specified in the Village of Lake Hallie Code, Section 1.4.02.

### **SECTION 7.2.02. PARKING PROHIBITIONS**

(1) State Law Adopted by Reference. The provisions of Secs. 345.28 and 346.50 to 346.56 Wis. Stats. As they presently exist and are hereafter amended referencing nonmoving violations, stopping and parking are hereby adopted by reference as if fully set forth herein.

(2) Definitions.

(A) "Vehicle" has the same meaning as defined in §340.01(74), Stats., and includes every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except railroad trains. For purposes of the parking section "vehicle" includes any recreational vehicles (for example, snowmobiles and ATVs) and leisure or hobby vehicles, including any vehicles that are designed for off road use (for example, golf carts and multi-wheeled vehicles).

(B) "Roadway" has the same meaning as defined in §340.01(54), Stats., and includes that portion of a highway between the regularly established curb line or that portion which is improved, designed or ordinarily used for vehicle travel, excluding the berm or shoulder.

**(C)** “Highway” has the same meaning as defined in §340.01(22), Stats., and includes all public ways and thoroughfares, and bridges on the same. “Highway” includes the entire width between the boundary lines of every way open to the use of the public as a matter of right for the purposes of vehicle travel. “Highway” includes those roads or driveways in the state, county or municipal parks and in state forests which have been opened to the use of the public for the purpose of vehicle travel and roads and driveways upon the grounds of public schools, as defined in §115.01(1), Stats., and institutions under the jurisdiction of the village board of trustees, but does not include private roads or driveways as defined in §340.01(46), Stats.

**(3)** Streets and Village Roads:

**(A)** Village-wide prohibited parking:

**1.** Commercial and residential throughways. No person shall park, abandon or leave unattended any vehicle upon the paved and/or travelled portion of any roadway, public street or highway in the Village of Lake Hallie unless there is at least fifteen (15) feet of the travelled portion of the roadway that is unrestricted for the use of other motor vehicles.

**2.** Winter parking. No person shall park, abandon, or leave unattended any vehicle upon the paved and/or travelled portion and right-of-way of any roadway, public street or highway in the Village of Lake Hallie from November 15 to March 31 of each year between the hours of 2:00 a.m. to 6:00 a.m. Exceptions to this winter parking restriction may be made by contacting the Police Department prior to engaging in the prohibited parking. A police representative will make the determination if the restriction can be waived based on road and weather condition and if the vehicle poses a traffic hazard.

**3.** Snow or other weather emergency. The Village of Lake Hallie Police Department, with the approval and consent of the Village Board or its designee, may declare the existence of a weather emergency throughout the Village of Lake Hallie or in a section or sections thereof because of snow, freezing rain, sleet, ice, snow drifts, tornados, violent thunderstorms, flashfloods or other weather events or natural phenomena, or its after-effects, including, but not limited to, downed power lines, tree removal, search and rescue, etc. which would create or will likely create hazardous road conditions impeding or likely to impede the free movement of fire, health, police, emergency or other vehicular traffic or otherwise endanger the safety or welfare of the community.

**4.** General emergency. The Village of Lake Hallie Police Department, with the approval and consent of the Village Board or its designee, may declare the existence of a general emergency throughout the Village of Lake Hallie or in a section or sections thereof because of terrorism, chemical spills,



man-hunts or other man-made phenomena, or its after-effects, which would create or will likely create hazardous road conditions impeding or likely to impede the free movement of fire, health, police, emergency or other vehicular traffic or otherwise endanger the safety or welfare of the community.

**5.** Duration of emergency. The declaration of an emergency by the Village of Lake Hallie Police Department, Village Board, or its designee, shall be given by press, radio or television, and, when given, such notice shall constitute due and proper notice. The declaration of an emergency shall continue for a period of seventy-two (72) hours unless notice is given of the earlier discontinuation of a declared emergency. The Village of Lake Hallie Police Department, Village Board, or its designee, is authorized to declare successive emergency periods when, in the opinion of such official, the declared emergency continues for more than seventy-two (72) hours. At least two hours must elapse after the first notice by press, radio or television before the penalty provisions herein shall become operative.

**6.** Emergency Parking restrictions.

**a.** No person shall park, abandon or leave unattended any vehicle upon the paved and/or travelled portion of any roadway, public street or highway in the Village of Lake Hallie during a declared emergency.

**b.** In the event that any vehicle is stopped, parked, abandoned or left unattended in violation of this ordinance, Village of Lake Hallie employees of the road department, fire department, public works department or police department are authorized to remove or cause to be removed any such vehicle and to have such vehicle towed.

**c.** Any person who violates any of the provisions of this section shall, upon conviction thereof, forfeit the fine imposed plus costs of prosecution and any costs or expenses incurred in connection with the towing or storing of such vehicle.

**7.** Roadway parking duration. In allowed parking areas, no person shall leave or park any vehicle at any one place upon a street, roadway or highway, or the right of way of any street or highway, in the Village of Lake Hallie for more than forty-eight (48) consecutive hours. Each forty-eight (48) hour period a vehicle is not moved at least fifty (50) feet shall constitute a separate offense.

**8.** Statutory violations. No person shall violate the parking prohibitions set forth in sections 346.50 to 346.55, et seq. of the Wisconsin Statutes.

**a.** Lake Hallie parking lot. No person shall leave or park any vehicle without paying the designated parking fee or otherwise complying with the terms of Section 12.1.02 of the Village of Lake Hallie Code of Ordinances.

**b.** Private property. No person shall leave or park any vehicle, either attended or unattended, upon the private property of another without the express consent of the property owner.

**c.** Restricted parking in front of private mailboxes. No person shall park a vehicle within eight (8) feet of either side of a private mailbox adjacent to a Village roadway in the Village of Lake Hallie between 7:00 a.m. and 6:00 p.m., Monday through Saturday of each week.

**(4)** Authority to issue parking citations. In addition to Village of Lake Hallie police officers, the Village Board specifically authorizes employees of the municipal road department, public works department and snow plow drivers to issue parking citations. The Village Board may specifically grant authority to other persons to issue parking citations.

**(5)** How issued. The Village of Lake Hallie shall issue parking citations for non-moving parking violations in accordance with the statutory procedures and requirements set forth in section 345.28 of the Wisconsin Statutes and the nonmoving traffic violation and registration program of the Wisconsin Department of Transportation.

**(6)** Penalty.

**(A)** Citation. The forfeiture for a non-moving parking violation shall be as established by the Village Board for each violation unless the violation is of a parking prohibition set forth in sections 346.50 to 346.55, et. seq. of the Wisconsin Statutes in which case the penalty shall be as provided in section 346.56 of the Wisconsin Statutes.

**(B)** Late fee. The Village of Lake Hallie shall assess a late fee for any unpaid parking citation in addition to any administrative or processing costs.

**(C)** Towing and storing. If a Village of Lake Hallie police officer, or otherwise authorized employee, locates a parked or abandoned vehicle in violation of this ordinance, that individual may authorize the vehicle to be removed after reasonable efforts are made to locate the owner of the vehicle. Any costs or expenses incurred in connection with towing or storing a vehicle in violation of this ordinance shall be paid by the operator or owner of the vehicle. In authorizing the removal of a vehicle, the police officer or authorized employee may consider without limitation:

1. Whether the vehicle obstructs the roadway or impedes traffic.
2. Whether the vehicle is a present or potential hindrance to emergency vehicles or snow removal equipment.
3. The length of time the vehicle has remained stationary and the number of prior citations issued to that vehicle.

**(7)** Payment of citation. All parking citations shall be paid directly to the Village of Lake Hallie at the location and address indicated on the parking ticket.

*(Formerly Hallie Ordinance No. 101(6-8) "Roadway Parking; Private Property and Refrigeration Equipment" and Hallie Ordinance No. 101(10) "Ordinance Creating Seasonal No Parking Zone" adopted September 18, 1989 as subsequently amended)*

#### **SECTION 7.2.06 MISCELLANEOUS NONMOVING VIOLATIONS**

**(1)** Refrigeration equipment prohibited in residential zones. No person shall park, on public ways or private property in residential zones of the Village of Lake Hallie, attended or unattended vehicles that have refrigeration equipment, generators, or any type of heating or cooling units in operation.

**(2)** Semi-drop trailer prohibited on roadways. No person shall park a semi-unit or vehicle classified by the Department of Transportation as a commercial vehicle on public ways, highways, alleys or parking lots owned by the Village of Lake Hallie without first obtaining a permit from the Village Board or its designee. For this section a commercial vehicle is one that requires a commercial driver's license or other special training, or required permit to operate on the roadways of this state. This also includes equipment commonly used and referred to as construction equipment.

**(3)** Any person violating this ordinance shall be subject to the forfeiture specified in Section 1.4.02 of the Village of Lake Hallie Code of Ordinances, including all costs associated with the violation, and administrative or processing costs as provided for in Sections 7.2.02 and 7.2.08 of the Village of Lake Hallie Code of Ordinances.

*(Formerly Hallie Ordinance No. 142 "Winter Parking Ordinance" adopted December 17, 2001)*

#### **SECTION 7.2.08. NONMOVING VIOLATION AND REGISTRATION PROGRAM**

**(1)** The Village of Lake Hallie’s participation in the Wisconsin Traffic Violation and Registration Program is effective as of the first day of September, 2010. Pursuant to the provisions of section 345.28(4) of the Wisconsin Statutes, the Village of Lake Hallie elects to participate in the nonmoving traffic violation and registration program of the Wisconsin Department of Transportation and pay the costs established by the Department of Transportation under section 85.13 of the Wisconsin Statutes. The costs of participation in the program shall, in turn, be assessed against persons charged with nonmoving violations. The Village of Lake Hallie attorney shall be responsible for complying with the requirements set forth in section 345.28(4) of the Wisconsin Statutes.

**(2)** The Village of Lake Hallie Police Department, in the matter of unpaid citations, is hereby appointed the “delegated agency” of the Village of Lake Hallie and the police chief is authorized to file with the State Department of Transportation an appropriate Notice of Village of Lake Hallie’s election to participate in the Wisconsin Traffic Violation and Registration Program in accordance with Clearinghouse Rule No. 82-141, repealing and recreating Chapter Trans 128 of the State Administrative Code.

#### **SECTION 7.3.04. SNOWMOBILES**

**(1)** Authority. Pursuant to Chapters 350 and 346 of the Wisconsin Statutes, this ordinance is hereby created to regulate the use of snowmobiles within the Village of Lake Hallie. The Village hereby adopts Chapters 350 and 346 of the Wisconsin Statutes as well as those provisions listed below.

**(2)** Routes and Trails Designated. Except as provided in Sections 350.02 and 350.045, Wisconsin Statutes, or for snowmobile events authorized accordance with Section 350.04, Wisconsin Statutes, snowmobiles may be operated not exceeding the posted speed limits only upon the follow streets, alleys or portions thereof in the Village of Lake Hallie designated as snowmobile routes:

**(a)** 90th Street from its termination point North to 26th Avenue.

**(b)** 26th Avenue and 90th Street East to 109th Street.

**(c)** 109th Street and 30th Avenue going North to 40th Avenue.

**(d)** 40th Avenue and 110th Street going East to North Prairie View Road.

**(e)** On Prairie View Road at the dead end, South of 37th Avenue North to 133rd Street.

**(f)** 133rd Street and North Prairie View Road, North to termination point on County Highway J and 53rd Avenue.

- (g)** South Prairie View Road and 115th Street to Melby Street.
- (h)** Melby Street from 115th Street to 122nd Street.
- (i)** 122nd Street from the Eau Claire County Line North along 125th Street, 23rd Avenue and 24th Avenue to 130th Street.
- (j)** 130th Street from 25th Avenue North to County Highway OO.
- (k)** Entrance to Hallie Golf Course on 110th Street to Hallie Road.
- (l)** Dead end of Hallie Road west of 110th Street to 27th Avenue.
- (m)** Hallie Road at 27th Avenue to 118th Street and 28th Avenue.
- (n)** Hallie Road at 27th Avenue to Prairie View Road and 27th Avenue.
- (o)** 130th Street overpass State Highway 29 access from trails on both sides.
- (p)** South Prairie View from 27th Avenue North to its termination.
- (q)** 50th Avenue and 160th Street to 160th Street 1,515 feet North of 40th

Ave.

**(3)** Authority to Designate. The Village is directed and authorized to procure, erect, and maintain appropriate snowmobile route, trail and limit signs and markers approved by the Department of Natural Resources under Section 350.13, Wisconsin Statutes.

**(4)** Local Regulation.

**(a)** All of the village streets and thoroughfares within the Village of Lake Hallie may be used to gain entry to the access routes listed above from any residence located within said Village limits by the most direct route. Access may also be gained to Food Establishing, Lodging, and Gas Stations by the most direct route. The operator of the snowmobile shall show the vehicle to a speed not to exceed 10 miles per hour and yield the right-of-way when traveling within 100 feet of a person who is not in or on a snowmobile except as provided in Chapter 346 where applicable.

**(b)** Prohibited Activity. Snowmobiles may operate along U.S. numbered highways, state and county highways at a distance of 10 or more feet from the roadway. It shall be unlawful for any person to operate a snowmobile in contrary to laws in Chapters 350 and 346 or under the following circumstances.

**(1)** On public school grounds, park property, playgrounds, recreation areas without express permission to do so by appropriate public authority.

**(2)** In a manner so as to create loud, unnecessary, or unusual noise so as to disturb or interfere with the peace and quiet of other persons.

**(3)** In a careless, reckless, or negligent manner as to endanger, or be likely to endanger, the safety of any person or the property of any person.

**(4)** Upon any sidewalk, pedestrian way, or mall within the Village except for the purpose of crossing to obtain immediate access to an authorized area of operation.

**(5)** In excess of 10 miles per hour within 100 feet of a person who is not in or on a snowmobile except as provided in Chapter 346 where applicable.

**(6)** In a manner contrary to any route or trail sign, marker or limit erected in accordance with this section.

**(7)** Upon any public right-of-way, public park, golf course or other public municipal property in the Village of Lake Hallie except upon a designated snowmobile route or trail.

**(5)** Penalty.

**(a)** Violation of this ordinance shall be treated as civil forfeitures. Any person who violates any provision of this section shall, upon conviction thereof, forfeit not more than \$500.00, together with the costs of prosecution, and in default of payment thereof may be imprisoned in the county jail for a period not to exceed thirty (30) days; provided no person shall forfeit an amount in excess of the maximum fine or forfeiture allowed in the Wisconsin Statutes for the same offense.

**(b)** The penalty for violation of any of the provisions of this Ordinance shall be a forfeiture as hereinafter provided, together with the

costs of prosecution imposed as provided in Section 345.20 to 345.53, Wisconsin Statutes.

(c) Uniform Offenses. See addendum below.

(d) Local Regulations. The forfeiture for a violation of any of the other provisions of this Ordinance shall be set forth in Section 1.4.02 of this code, unless otherwise specified.

(6) Enforcement.

(a) Statutory Offenses. Violations of any offense prohibited by the State Statutes adopted by reference in this Ordinance shall be enforced in accordance with the provisions of Section 345.20 to 345.53 and 66.12, Wisconsin Statutes and as set forth in Section 1.4.02 of this code.

(b) Other Offenses. Violations of other offenses prohibited by this Chapter shall be enforced in accordance with the provisions of Section 1.4.02 of this Code.

(7) Severability. If any part of this ordinance is for any reason found to be invalid or unconstitutional by reason of any decision by any court of competent jurisdiction, such decision shall not affect the validity of any other part of this Ordinance.

(8) Code of Ordinances. After the effective date of this ordinance, same be known of Section 7.3.04 of the Code of Ordinances of the Village of Lake Hallie.

(9) Effective Date. Upon passage and publication, this ordinance shall take effect and be in force as provided by law.

*(Formerly Hallie Ordinance No. 101(9) "Snowmobiles and All Terrain Vehicles" adopted 3/87 superseded Hallie Ordinance No. 79, of 3/79, 102, 82-1(1d) and 1-87).*

### **SECTION 7.3.06. ALL TERRAIN VEHICLES**

(1) Except as otherwise specifically provided in this Code, the statutory provisions in Section 23.33 Wis. Stats., as they presently exist or may hereafter be amended, describing and defining regulations with respect to All Terrain Vehicles, are adopted and by reference made a part of this Code as if fully set forth herein.

(2) Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this Code. Any future amendments, revisions, or modifications of the statutes incorporated

herein are intended to be made part of this Code.

**(3)** Reference to Statute. For the purposes of construction and enforcement of this title, all references to the Wisconsin statutes shall be as those statutes presently exist or as they may be hereafter amended.

**(4)** Obedience to traffic rules. The operator of an All Terrain Vehicle upon a roadway shall in addition to the provisions of Sec. 23.33 Wis.Stat. be subject to Sections 346.04, 346.06, 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, 346.91(1) and 346.94(1), (6), (6m) and (9).

**(5)** Prohibited Use and Operation.

**(a)** No All Terrain Vehicle shall be operated within 33 feet of the center-line of any roadway in the Village of Lake Hallie, except for crossing set forth herein.

**(b)** No All Terrain Vehicle shall be operated on public land owned or leased by the Village of Lake Hallie.

**(c)** No All Terrain Vehicle shall be operated on all other public land specifically, but not limited to:

1. Cemeteries.
2. Church properties.
3. Airports.
4. Parks and recreational areas.
5. Bicycle paths.

**(d)** No person shall operate an All Terrain Vehicle on the private property of another without the expressed consent of the owner. Failure to post private property does not imply consent, nor does consent impose a duty to keep the premises free of hazards not willfully set.

**(e)** No person shall use or operate an All Terrain Vehicle in the following manner:

1. While under the influence of intoxicating liquor, fermented malt beverages or controlled substances.



2. At a rate of speed that is unreasonable or improper for the circumstances.
3. In a careless or negligent manner as to endanger the person or the property of another.
4. Without a properly functioning factory approved muffler.
5. Without approved helmet and eye protectors.
6. Without functioning headlights and tail lights during the hours of darkness.

**(f)** No person shall carry on his person or the vehicle, while operating an All Terrain Vehicle, the following:

1. Intoxicating liquor, fermented malt beverage or controlled substances.
2. Firearms or bow, unless it is unloaded and encased and bow unstrung or enclosed in a case.

**(g)** No owner or other person having charge and control of a All Terrain Vehicle shall authorize or allow any person to operate said vehicle who is incapable, by reason of age, physical or mental disability or is under the influence of intoxicating liquor, fermented malt beverage or controlled substances.

**(h)** Operators shall dismount and walk the vehicle where crossing roadways or other lands where prohibited from use.

**(6)** Penalty.

**(a)** Any person violating any of the provisions of this section shall be subject to the forfeiture specified in Section 1.4.02 of the Village of Lake Hallie Code.

**(c)** In addition, any restitution or costs or expenses incurred in connection with the towing or storing a vehicle in violation of this section shall be added to the forfeiture.

*(Formerly Hallie Ordinance No. 101(9) "Snowmobiles and All Terrain Vehicles" adopted 3/87 superseded Hallie Ordinance No. 79, of 3/79, 102, 82-1(1d) and 1-87).*