

TITLE 10

Motor Vehicles and Traffic

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CHAPTER 1

Traffic and Parking

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ARTICLE A

General Provisions

SEC. 10-1-1 STATE TRAFFIC LAWS ADOPTED.

- (a) **State Traffic Forfeiture Laws Adopted.** Except as otherwise specifically provided in this Code, the statutory provisions in Chapters 340 to 348 of the Wisconsin Statutes, describing and defining regulations with respect to vehicles and traffic, exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment or exclusively state charges, are hereby adopted and by reference made a part of this Chapter as if fully set forth herein. Any act required to be or prohibited by any regulation incorporated herein by reference is required or prohibited by this Chapter. Any future amendments, revisions or modifications of the statutory regulations in Chapters 340 to 348 incorporated herein are intended to be made part of this Chapter in order to secure to the extent legally practicable uniform statewide regulation of vehicle traffic on the highways, streets and alleys of the State of Wisconsin. Any person who shall, within the City of Cedarburg, Wisconsin, violate any provisions of any Statute incorporated herein by reference shall be deemed guilty of an offense under this Section.
- (b) **Other State Laws Adopted.** There are also hereby adopted by reference the following sections of the Wisconsin Statutes, but the prosecution of such offenses under this Chapter shall be as provided in Chapters 340 to 348 of the Wisconsin Statutes and the penalty for violation thereof shall be limited to a forfeiture as hereinafter provided in this Chapter:
 - 346.935 Drinking in Motor Vehicle on Highway
 - 941.01 Negligent Operation of Vehicle Off Highway
 - 941.03 Highway Obstruction
 - 943.11 Entry into Locked Vehicle
 - 943.23 Operating Motor Vehicles Without Owners Consent
- (c) **Statutes Specifically Incorporated by Reference.** Whenever this Chapter incorporates by reference specific sections of the Wisconsin Statutes, such references shall mean the Wisconsin Statutes of 1985-86 as from time to time amended, repealed or modified by the Wisconsin Legislature.
- (d) **General References.** General references in this Chapter to Wisconsin statutory sections or chapters describing or defining procedures or authority for enactment or enforcement of local traffic regulations shall be deemed to refer to the most recent enactments of the Wisconsin Legislature describing or defining such procedures or authorities.

SEC. 10-1-2 STATE ADMINISTRATIVE CODE PROVISIONS ADOPTED.

- (a) **Administrative Regulations Adopted.** The following administrative rules and regulations adopted by the Secretary of the Wisconsin Department of Transportation and published in the Wisconsin Administrative Code, exclusive of any provisions therein relating to the

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penalties to be imposed, are hereby adopted by reference and made part of this Chapter as if fully set forth herein.

Wis. Adm. Code	Trans 146 Vehicle Registration and Fuel Trip Permits [Penalties of Wis. Stats. Sec. 341.04 apply]
Wis. Adm. Code	Trans 302 Vehicle Marking
Wis. Adm. Code	Trans 305 Standards for Vehicle Equipment
Wis. Adm. Code	Trans 326 and 328 General Transportation Requirements
Wis. Adm. Code	Trans 300 Transportation of School Children
Wis. Adm. Code	Wis. Stat. 347.485 Protective Headgear For Use On Type 1 Motorcycles
Wis. Adm. Code	Trans 304 Slow Moving Vehicle Emblem (Ord. 98-24)

- (b) **Non-Compliance Prohibited.** No person shall operate or allow to be operated on any highway, street or alley within the City a vehicle that is not in conformity with the requirements of Subsection (a) or the provisions of Section 110.075 and Chapter 347, Wis. Stats., incorporated by reference in Section 10-1-1 of this Chapter.
- (c) **Owner's Liability.** Any owner of a vehicle not equipped as required by this Section who knowingly causes or permits such vehicle to be operated on a highway in violation of this Section is guilty of the violation the same as if he or she had operated the vehicle. The provisions of Section 347.04, Wis. Stats., relating to nonapplicability of demerit points shall apply to owners convicted of a violation of this Section.
- (d) **Safety Checks.**
 - (1) Operators to Submit to Inspection. When directed to do so by any law enforcement officer, the operator of any motor vehicle shall stop and submit such vehicle to an inspection and such tests as are necessary to determine whether the vehicle meets the requirements of this Section or that the vehicle's equipment is in proper adjustment or repair. No person, when operating a motor vehicle, shall fail to stop and submit such vehicle to inspection when directed to do so by any law enforcement officer as herein provided.
 - (2) Authority of Officer. Any law enforcement officer of the City is hereby empowered whenever he or she shall have reason to believe that any provision of this Section is being violated to order the operator of the vehicle to stop and to submit such vehicle to an inspection with respect to brakes, lights, turn signals, steering, horns and warning devices, glass, mirrors, exhaust systems, windshield wipers, tires and other items of equipment.
 - (3) Vehicle to be Removed From Highway. Whenever, after inspection as provided by this Section, a law enforcement officer determines that a vehicle is unsafe for operation, he or she may order it removed from the highway and not operated, except for purposes of removal and repair until the vehicle has been repaired as directed in a repair order. Repair orders may be in the form prescribed by the secretary of the Department of Transportation under Section 110.075(5), Wis. Stats., and shall

require the vehicle owner or operator to cause the repairs to be made and return evidence of compliance with the repair order to the department of the officer within the time specified in the order.

- (e) **Penalty.** Penalty for violation of any provision of this Section, including the provisions of the Wisconsin Administrative Code, incorporated herein by reference, shall be as provided in Subsection (c) of this Section, together with the costs of prosecution and applicable penalty assessment.

SEC. 10-1-3 OFFICIAL TRAFFIC SIGNS AND CONTROL DEVICES; SIGNS, SIGNALS AND MARKERS.

(a) Duty of City Engineer to Erect and Install Uniform Traffic Control Devices.

Whenever traffic regulations created by this Chapter, including a State of Wisconsin traffic regulation adopted by reference in Section 10-1-1, require the erection of traffic control devices for enforcement, the City Engineer, with the cooperation of the Police Department, shall procure, erect and maintain uniform traffic control devices conforming to the Uniform Traffic Control Device Manual promulgated by the Wisconsin Department of Transportation, giving notice of such traffic regulation to the users of the streets and highways on which such regulations apply. Whenever State law grants discretion to local authorities in erecting or placement of a uniform traffic control device, devices shall be erected in such locations and in such a manner as, in the judgment of the City Engineer or his designee, will carry out the purposes of this Chapter and give adequate warning to users of the streets and highways of the City of Cedarburg.

- (b) **Code Numbers to be Affixed to Official Traffic Control Devices.** The City Engineer or his designee shall cause to be placed on each official traffic control sign a guide board, mile post, signal or marker erected under Subsection (a), a code number assigned by the Wisconsin Department of Transportation, and shall also place or direct the placing of code numbers on all existing official traffic control devices as required by the laws of the State of Wisconsin.

- (c) **Prohibited Signs and Markers in Highways.** No person other than an officer authorized by this Chapter to erect and maintain official traffic control devices or his or her designee shall place within the limits of any street or highway maintained by the City any sign, signal, marker, mark or monument unless permission is first obtained from the City Engineer or, where applicable, the State Highway Commission. Any sign, signal, marker, mark or monument placed or maintained in violation of this Subsection shall be subject to removal as provided in Subsection (d).

- (d) **Removal of Unofficial Signs, Markers, Signals and Traffic Control Devices.** The City Engineer or his designee may remove any sign, signal, marking or other device which is placed, maintained or displayed in violation of this Chapter or state law. Any charge imposed against premises for removal of a prohibited or illegal sign, signal, marking or device shall be reported by the City Engineer or his designee to the Public Works Commission for review and certification at its next regular meeting following the imposition of the charge. Any charge not paid on or before the next succeeding November 15 shall be

placed upon the tax roll for collection as other special municipal taxes.
State Law Reference: Sections 346.41 and 349.09, Wis. Stats.

SEC. 10-1-4 REGISTRATION RECORD OF VEHICLE AS EVIDENCE.

When any vehicle is found upon a street or highway in violation of any provision of this Chapter regulating the stopping, standing or parking of vehicles and the identity of the operator cannot be determined, the owner, as shown by the ownership registration of the vehicle supplied by the Wisconsin Department of Transportation, or a comparable authority of any other state, shall be deemed to have committed the violation for purposes of enforcement of this Chapter and specifically Section 10-1-1 and shall be subject to the applicable forfeiture penalty; provided the defenses defined and described in Section 346.485(5)(b), Wis. Stats., shall be a defense for an owner charged with such violation.

SEC. 10-1-5 ACCIDENT REPORTS.

The operator of every vehicle involved in an accident shall immediately after such accident file with the Police Department a copy of the report required by Section 346.70 of the Wisconsin Statutes, if any. If the operator is unable to make such report, any occupant of the vehicle at the time of the accident capable of making such report shall have the duty to comply with this Section. Such reports shall be subject to the provisions and limitations of Sections 346.70(4)(f) and 346.73 of the Wisconsin Statutes.

SEC. 10-1-6 BLUE WARNING LIGHTS ON POLICE VEHICLES.

- (a) Pursuant to Sections 346.03(3), 346.94(14), 346.95(3) and 347.25(1), (1m)(a) and (b) and (4), Wis. Stats., a marked police vehicle under Section 340.01(3)(a), Wis. Stats., shall be equipped with a blue light and a red light which flash, oscillate or rotate.
- (b) If the vehicle is so equipped, the lights shall be illuminated when the operator of the police vehicle is exercising the privileges granted under Sec. 346.03, Wis. Stats. The blue light shall be mounted on the passenger side of the vehicle and the red light shall be mounted on the driver side of the vehicle. The lights shall be designed and mounted so as to be plainly visible and understandable from a distance of five hundred (500) feet during normal sunlight and during hours of darkness. No operator of a police vehicle may use the warning lights except when responding to an emergency call or when in pursuit of an actual or suspected violator of the law, when responding to but not upon returning from a fire alarm or when necessarily parked on a highway in a position which is likely to be hazardous to traffic using the highway.

SEC. 10-1-7 THROUGH SEC. 10-1-9 RESERVED FOR FUTURE USE.

ARTICLE B

Controlled Intersections; Street Traffic Regulations

SEC. 10-1-10 OPERATORS TO OBEY TRAFFIC CONTROL DEVICES.

Every operator of a vehicle approaching an intersection at which an Official Traffic Control Device is erected in accordance with this Chapter shall obey the direction of such Official Traffic Control Device as required by the Wisconsin Statutes incorporated by reference in Section 10-1-1 of this Chapter. Operators of vehicles approaching a stop sign shall stop before entering a highway as required by Section 346.46, Wis. Stats. Operators approaching intersections at which a yield sign has been installed shall yield the right-of-way to other vehicles as required by Section 346.18(6), Wis. Stats.

SEC. 10-1-11 SPEED LIMITS.

- (a) **State Speed Limits Adopted.** The provisions of Sections 346.57, 346.58 and 346.59, Wis. Stats., relating to the maximum and minimum speed of vehicles are hereby adopted as part of this Section as if fully set forth herein, except as specified by this Section pursuant to Section 349.11(3)(c), Wis. Stats., where the Common Council has determined that the statutory speed limits are unreasonable, unsafe and imprudent and has modified such limits.
- (b) **Speed Limits Modified.** The speed limits are modified as hereinafter set forth in this Subsection upon the following streets or portions thereof between the limits designated:
 - (1) The maximum permissible speed on Sheboygan Road shall be twenty-five (25) miles per hour.
 - (2) The maximum permissible speed on Washington Avenue from Lincoln Boulevard south to Pioneer Road shall be thirty (30) miles per hour.
 - (3) The maximum permissible speed on Washington Avenue from Pioneer Road south to the City limits shall be thirty-five (35) miles per hour.
 - (4) The maximum permissible speed on Washington Avenue from a point 0.10 of a mile north of its intersection with Cambridge Avenue north to the City limits shall be thirty-five (35) miles per hour.
 - (5) The maximum permissible speed on Western Road from Washington Avenue to the westerly city limits shall be twenty-five (25) miles per hour. (Ord. 93-23)
 - (6) The maximum permissible speed on Pioneer Road west of Washington Avenue (Hwy 57) to the westerly city limits shall be thirty-five (35) miles per hour. (Ord. 95-07)
 - (7) The maximum permissible speed limit on Evergreen Blvd. from Washington Avenue to a distance of one hundred eighty (180) feet south of the south curb line of Fair Street, on both sides of Evergreen Blvd. shall be fifteen (15) miles per hour within, contiguous to or adjacent to a public park or recreation area, when children are going to or from or are playing within such area. (Ord. 96-17)
 - (8) The maximum permissible speed on Keup Road from the north city limits to the

- intersection with Columbia Road shall be thirty (30) miles per hours. (Ord. 2003-22)
- (9) The maximum permissible speed on Sherman Road from Wauwatosa Road to one-half mile west of Wauwatosa Road shall be forty-five (45) miles per hour. (Ord. 2004-42)
- (10) The maximum permissible speed on Bridge Road west of Wauwatosa Road to the City limits shall be thirty-five (35) miles per hour. (Ord. 2008-05)

State Law Reference: Sec. 349.11(3)(c), Wis. Stats.

SEC. 10-1-12 THROUGH STREETS AND SNOW EMERGENCY ROUTES DESIGNATED.

In the interest of public safety and pursuant to Section 349.07, Wis. Stats., the following streets or portions thereof set forth in this Section are declared to be through highways and snow emergency routes, and traffic signs or signals giving notice thereof shall be erected by the City Engineer in accordance with Section 10-1-3:

- (a) Washington Avenue from the south limits of the City of Cedarburg to the center of East Columbia Road and Washington Avenue.
- (b) Columbia Road from the center of Columbia Road and Washington Avenue to the east limits of the City of Cedarburg.
- (c) Washington Avenue from the center of Columbia Road and Washington Avenue to the north limits of the City of Cedarburg.

State Law Reference: Sec. 349.07, Wis. Stats.

Cross Reference: Section 10-1-33.

SEC. 10-1-13 ONE-WAY STREETS.

- (a) **Designation of Permanent One-Way Streets.** Pursuant to Sec. 349.10, Wis. Stats., the following streets are heretofore declared to be one-way streets, and no person shall operate any vehicle thereon except in the indicated directions:
- (1) Upon Hamilton Road in a southeasterly direction between Washington Avenue and Hilgen Avenue during the period of time from one-half (1/2) hour before to one-half (1/2) hour after Masses and other religious services are conducted at St. Francis Borgia Catholic Church.
- (2) Upon Center Street from Washington Avenue to Hanover Avenue, vehicular traffic shall move only in a westerly direction.
- (3) Upon Elm Street from Washington Avenue to St. John Avenue, vehicular traffic shall move only in a westerly direction.
- (b) **Special Event One-Way Streets.** The Chief of Police or his designee is hereby authorized to designate certain streets as one (1) way streets during special events that are deemed likely to result in traffic congestion, effective from the time signage is in place for special events

until the signage is removed. (Ord. 93-25) (Ord. 97-13) (Ord. 99-15) (Ord. 2002-24)
State Law Reference: Sec. 349.10, Wis. Stats.

SEC. 10-1-14 HEAVY TRAFFIC ROUTES. (Ord. 94-07) (Ord. 2003-37)

- (a) **Definition.** For purposes of this Section, heavy traffic shall be defined as:
- (1) All vehicles not operating completely on pneumatic tires; and
 - (2) All vehicles or combination of vehicles, other than motor buses, designed or used for transporting property of any nature and having a gross weight of more than fifteen thousand (15,000) pounds.
- (b) **Prohibited Routes.** Heavy traffic is prohibited from using any City street or highway except Pioneer Road (County Highway “C”) and Wauwatosa Road (State Highway 181). This Section shall not act to prohibit heavy traffic from using a City street or highway for the purpose of obtaining orders for supplies or moving or delivering supplies or commodities to or from any place of business or residence which has an entrance on such street or highway. Furthermore, this Section will not act to prohibit heavy traffic from using any City streets over which are routed state trunk highways. When being driven to the site of any construction, repair or maintenance of electric, gas or water service, vehicles owned and operated by a public utility will be exempt from the provisions of this Section.
- (c) **Administration.** The Chief of Police shall administer this Section. Administration shall include:
- (1) Construction equipment.
 - a. The Chief of Police or City Engineer may grant temporary permits to allow heavy construction equipment to use City streets or highways. These permits may be granted only when use of a route is necessary for the equipment to reach a construction site. No permit may be issued unless the person or corporation owning the equipment agrees to reimburse and hold the City harmless for any damage done to the City street by the equipment and/or any personal injury or property damage caused in part or in whole by the street damage.
 - b. City-owned or operated equipment is specifically excluded from the provisions of this Section.
- (d) **Liability.** Any operator, corporation, owner or agent whose heavy traffic vehicle damages any City streets or highways in violating this Section shall be liable and required to pay the City the cost of repair or replacement of the damaged street or highway.
- (e) **Special and Seasonal Weight Limitations.** The Chief of Police shall have the authority to impose special or seasonal weight limits on any highway, bridge or culvert maintained by the City to prevent injury to the roadway or for the safety of the users of such bridge or culvert and shall be responsible for erecting Uniform Traffic Control Devices giving notice thereof in accordance with the proving of Section 10-1-3.
- (f) **Heavy Traffic Routes Designated.** All streets and alleys within the City are designated as local streets subject to the 15,000 pound gross vehicle weight limitation, except the

following highways or parts thereof within the jurisdiction of the City are hereby designated heavy traffic routes and are excepted from the local weight limitations:

- (1) Pioneer Road (County Highway "C").
- (2) Wauwatosa Road (State Hwy. 181)

- (g) **Restriction on Bus Traffic.** No bus shall be operated on Riveredge Drive.

State Law Reference: Sec. 349.17, Wis. Stats.

SEC. 10-1-15 CONTROLLED INTERSECTIONS DESIGNATED.

- (a) **Complete Stops Required.** It shall be unlawful for any person driving or operating any motor vehicle or other vehicle to drive or cause the same to be driven into an intersection designated and declared by this Section to be a stop zone listed heretofore as requiring one-way stops, two-way stops, three-way stops, four-way stops or signalized intersections, without first coming to a full and complete stop.
- (b) **Stop Signs.** Motor vehicles shall come to a complete stop pursuant to stop signs erected at the following intersections and railroad tracks:
- (1) Chatham Street at Wauwatosa Road (westbound).
 - ~~(2) Chatham Street at Poplar Street (eastbound.)~~ (Ord. 2007-01)
 - (3) Hampton Street at Poplar Street.
 - (4) Poplar Street at Washington Avenue (east).
 - (5) Harrison Street at Washington Avenue (east).
 - (6) Evergreen Boulevard at Washington Avenue (east).
 - (7) Evergreen Court at Evergreen Boulevard (east).
 - (8) Hickory Street at Harrison Avenue.
 - (9) Hickory Street at Pine Street.
 - (10) Oak Street at Harrison Avenue.
 - (11) Oak Street at Pine Street.
 - (12) Linden Street at Harrison Avenue.
 - (13) Linden Street at Pine Street.
 - (14) Tower Avenue at Chestnut Street.
 - (15) Chestnut Street at Spruce Avenue.
 - (16) Tower Avenue at Bridge Road (south).
 - (17) Locust Avenue at Bridge Road (south).
 - (18) Walnut Street at Harrison Avenue (west).
 - (19) Walnut Street at Evergreen Boulevard.
 - (20) Monroe Avenue at Bridge Road (south).
 - (21) Fair Street at Evergreen Boulevard (west).
 - (22) Fair Street at Madison Avenue (east).
 - (23) Pine Street at Evergreen Boulevard.
 - (24) Franklin Avenue at Bridge Road (south).

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- (25) Madison Avenue at Bridge Road.
- (26) Elm Street at St. John Avenue.
- (27) St. John Avenue at Bridge Road.
- (28) Susan Lane at Washington Avenue (west).
- (29) Cambridge Avenue at Susan Lane (north).
- (30) Cambridge Avenue at Washington Avenue (west).
- (31) Crescent Drive at Sheboygan Road (east).
- (32) Oxford Drive at Sheboygan Road (west).
- (33) Dorchester Drive at Sheboygan Road (west).
- (34) Glenwood Drive at Arbor Drive (south).
- (35) Arbor Drive at Willowbrooke Drive.
- (36) Willowbrooke Drive at Sheboygan Road (east).
- (37) Thornapple Lane at Keup Road (west).
- (38) Covington Square at Keup Road (east).
- (39) Windsor Drive at Georgetown Drive (south).
- (40) Bywater Lane at Cedar Ridge Drive.
- (41) Georgetown Drive at Cedar Ridge Drive (west).
- (42) Georgetown Drive at Keup Road (east).
- (43) Cedar Ridge Drive at Bridge Road (south).
- (44) Keup Road at Columbia Road (south).
- (45) Appletree Lane at Highland Drive.
- (46) Victoria Court at Evergreen Boulevard (west).
- (47) Victoria Court at Madison Avenue (east).
- (48) Center Street at Evergreen Boulevard (west).
- (49) St. John Avenue at Cleveland Street.
- (50) Hanover Avenue at Cleveland Street (north).
- (51) St. John Avenue at Center Street.
- (52) Juniper Lane at Western Road (south).
- (53) Webster Avenue at Western Road (south).
- (54) Margie Lane at Western Road (south).
- (55) Evergreen Boulevard at Western Road. (Ord. 90-11)
- (56) Madison Avenue at Western Road.
- (57) St. John Avenue at Western Road (south).
- (58) Hanover Avenue at Western Road (south).
- (59) Western Road at Washington Avenue (east).
- (60) Mill Street at Washington Avenue.
- (61) Grant Avenue at Madison Avenue (north).
- (62) Kennedy Avenue at Grant Avenue (north).
- (63) Westlawn Avenue at Jackson Street.
- (64) Madison Avenue at Jackson Street.
- (65) Hillcrest Avenue at Jackson Street.
- (66) Hillcrest Avenue at Lincoln Boulevard (south).

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- (67) Madison Avenue at Lincoln Avenue (south).
- (68) Hanover Avenue at Lincoln Boulevard (south).
- (69) Alyce Street at Washington Avenue (east).
- (70) Fairfield Street at Washington Avenue (east).
- (71) Zeunert Street at Washington Avenue (west).
- (72) Zeunert Street at Cardinal Avenue (east).
- (73) Concord Street at Washington Avenue (west).
- (74) Layton Street at Washington Avenue (east).
- (75) Taunton Avenue at Pioneer Road (north).
- (76) Cardinal Avenue at Pioneer Road (south).
- (77) Cardinal Avenue at Lincoln Boulevard (north).
- (78) Johnson Avenue at Lincoln Boulevard (south).
- (79) Hilbert Avenue at Lincoln Boulevard (south).
- (80) Wurthmann Avenue at Hilbert Avenue.
- (81) Johnson Avenue at Hamilton Road (north).
- ~~(82) Hilbert Avenue at Hamilton Road~~ (deleted per Ord. 91-09)
- (83) Jackson Street at Washington Avenue.
- (84) Hilgen Avenue at Hamilton Avenue.
- (85) Hamilton Road at Washington Avenue (west).
- (86) Spring Street at Washington Avenue (west).
- (87) Park Lane at Hamilton Road (south).
- (88) Van Buren Drive at Hamilton Road (north).
- (89) Taft Street at McKinley Boulevard (west).
- (90) Woodmere Court at McKinley Boulevard (south).
- (91) Garfield Street at McKinley Boulevard (west).
- (92) Garfield Court at Garfield Street (north).
- (93) Filmore Avenue at Hamilton Road (north).
- (94) Wirth Street at McKinley Boulevard (east).
- (95) McKinley Boulevard at Pioneer Road (south).
- (96) Somerset Avenue at Pioneer Road (south).
- (97) Doerr Way at Pioneer Road (north).
- (98) Polk Street at Pierce Avenue (south).
- (99) Lenox Place at Spring Street (north).
- (100) Spring Court at Spring Street (south).
- (101) Spring Street at Railroad Crossing.
- (102) Highland Drive at Portland Road.
- (103) Hilbert Avenue at Portland Road.
- (104) Struck Lane at Portland Road (south).
- (105) Sunnyside Lane at Highland Drive (east).
- (106) Edgewater Drive at Highland Drive (east).
- (107) Mill Street at Portland Road (north).
- (108) Portland Road at Columbia Road (north).

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- (109) Mequon Avenue at Columbia Road (south).
- (110) Tyler Street at Mequon Avenue.
- (111) Jefferson Street at Columbia Road (south).
- (112) Columbia Court at Columbia Road (south).
- (113) Cedar Court (west) at Columbia Road (north).
- (114) Cedar Court (east) at Columbia Road (north).
- (115) Jefferson Street at Bridge Road.
- (116) Mequon Avenue at Bridge Road.
- (117) Riveredge Drive at Bridge Road.
- (118) Bridge Road at Washington Avenue.
- (119) Bridge Road at Columbia/Highland.
- (120) Washington Avenue at Columbia Road.
- (121) Washington Avenue at Lincoln Boulevard.
- (122) Washington Avenue at Pioneer Road.
- (123) Sheboygan Road at Washington Avenue.
- (124) Turner Street at Washington Avenue.
- (125) Turner Street at Hanover Avenue.
- (126) Wurthmann Avenue at Washington Avenue.
- (127) Evergreen Boulevard at Western Road (north).
- (128) Fieldcrest Street at Lexington Street (east).
- (129) Grant Avenue at Wilson Street (south).
- (130) Windwood Court at Evergreen Boulevard.
- (131) Cottonwood Court at Evergreen Boulevard (west).
- ~~(132) Wilson Street at Evergreen Boulevard.~~ (deleted per Ord. 95-22)
- (133) Palmetto Avenue at Wilson Street (north).
- (134) Buchanan Street at Evergreen Boulevard.
- (135) Greenway Terrace at Evergreen Boulevard (east).
- (136) Churchill Street at Poplar Avenue (west). (Ord. 90-40)
- (137) Churchill Street at Harrison Avenue (east). (Ord. 90-40)
- (138) Coventry Street at Poplar Avenue (west). (Ord. 90-40)
- (139) Coventry Street at Harrison Avenue (east). (Ord. 90-40)
- (140) Coventry Court at Harrison Avenue (west). (Ord. 90-40)
- (141) Kingston Court at Harrison Avenue (east). (Ord. 90-40)
- (142) Hampton Avenue at Harrison Avenue (south). (Ord. 90-40)
- (143) Hampton Court at Harrison Avenue (north). (Ord. 90-40)
- (144) Poplar Avenue at Pine Street (south). (Ord. 90-40)
- (145) Landmark Drive at Hamilton Road (southwest). (Ord. 91-04)
- (146) Berkshire Street, for westbound traffic at Washington Avenue (Ord. 92-25)
- (147) Kensington Avenue, for southbound traffic at Susan Lane (Ord. 92-25)
- (148) Dayton Street, for eastbound traffic at Kensington Avenue (Ord. 92-25)
- (149) Leicester Avenue, for northbound traffic at Berkshire Street (Ord. 92-25)
- (150) Cider Mill Court, for southbound traffic at Western Road (Ord. 92-25)

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- (151) Evergreen Blvd. at Pioneer Road (south) (Ord. 92-56)
 - (152) Alyce Street at Evergreen Blvd. (west) (Ord. 92-56)
 - (153) Partridge Court at Evergreen Blvd. (Ord. 92-56)
 - (154) Pheasant Court at Evergreen Blvd. (Ord. 92-56)
 - (155) Evergreen Blvd. at Lincoln Blvd. (north) (Ord. 92-56)
 - (156) Lincoln Blvd. (westbound) at Madison Avenue. (Ord. 95-06)
 - (157) Lincoln Blvd. (eastbound) at Madison Avenue. (Ord. 95-06)
 - (158) Wilson Avenue (eastbound) at Madison Avenue. (Ord. 95-06)
 - (159) Franklin Avenue at Pine Street (north). (Ord. 95-11)
 - (160) Franklin Avenue at Pine Street (south). (Ord. 95-11)
 - ~~(161) Public Street at McKinley Blvd. (deleted by Ord. 2004-13)~~
 - (162) Susan Lane at Sheboygan Road (east). (Ord 96-32)
 - (163) Evergreen Blvd. at Lincoln Blvd. (south). (Ord. 96-39)
 - (164) Cedar Pointe Avenue at Lincoln Blvd. (south). (Ord. 96-39)
 - (165) Cedar Pointe Avenue at Lincoln Blvd. (north). (Ord. 96-39)
 - (166) Lincoln Blvd. at Wauwatosa Road (west). (Ord. 96-39)
 - (167) Greystone Drive at Western Road (north). (Ord. 2000-19)
 - (168) Greystone Drive at West Pointe Court. (Ord. 2000-19)
 - (169) West Pointe Court at Greystone Drive (east). (Ord. 2000-19)
 - (170) Greystone Drive at West Pointe Street (north). (Ord. 2000-19)
 - (171) West Pointe Street at Greystone Drive (west). (Ord. 2000-19)
 - (172) Windwood Drive at Greystone Drive (west). (Ord. 2002-05)
 - (173) Fox Pointe Avenue at Windwood Drive (Ord. 2003-15)
 - (174) Cedar Pointe Avenue at Windwood Drive (Ord. 2003-15)
 - (175) Mulberry Avenue at Windwood Drive (Ord. 2003-15)
 - (176) Locust Avenue at Cleveland Street (south). (Ord. 2005-02)
 - (177) Highland Drive at Spring Street (south). (Ord. 2007-01)
 - (178) Fox Pointe Avenue at Wilson Street (Ord. 2010-06)
 - (179) Cedar Pointe Avenue at Wilson Street (Ord. 2010-06)
 - (180) Covington Square East at Keup Road (Ord. 2010-07)
- (c) **Three-Way Stops Authorized.**
- (1) Keup Road and Alpine Drive (Ord. 2003-21)
- (d) **Four-Way Stops Authorized.**
- (1) Harrison Avenue at Pine Street.
 - (2) Harrison Avenue at Bridge Road.
 - (3) Evergreen Boulevard at Bridge Road.
 - (4) Evergreen Boulevard at Cleveland Street.
 - (5) Madison Avenue at Cleveland Street.
 - (6) Madison Avenue at Center Street.
 - (7) Hanover Avenue at Center Street.
 - (8) Spring Street at Hilbert Avenue.

- (9) Crescent Drive at Glenwood Drive.
 - (10) Windsor Drive at Derby Lane.
 - (11) Hilbert Avenue at Hamilton Road. (Ord. 91-09)
 - (12) Evergreen Blvd. at Wilson Street. (Ord. 95-22)
 - (13) Harrison Avenue and Cleveland Street. (Ord. 2002-17)
- (e) **Temporary Stop Signs at School Crosswalks.** Motor vehicles shall come to a complete stop when temporary stop signs are displayed at the following school crosswalks during such hours as deemed necessary by school authorities for the safety of children crossing at said locations:
- (1) Harrison Avenue at crosswalk fronting Parkview School.

SEC 10-1-16 YIELD TO TRAFFIC; SIGNS.

- (a) **Operator to Yield Right-of-Way.** The Common Council hereby authorizes the use of Yield Right-of-Way signs within the City. The operator of vehicle, when approaching any intersection at which has been installed a Yield Right-of-Way sign, shall yield the right-of-way to other vehicles which have entered the intersection from an intersecting street, or which are approaching so closely on the intersecting street as to constitute a hazard of collision, and, if necessary, shall reduce speed or stop in order to so yield. The following are authorized yield sign intersections.
- (b) **Yield Signs Authorized.**
- (1) Spring Street at Park Lane.
 - ~~(2) Highland Drive at Spring Street. (Ord. 2007-01)~~
 - (3) Sunnyside Drive at Edgewater Lane.
 - (4) Eton Court at Georgetown Drive.
 - (5) Jackson Street at Kennedy Avenue.
 - (6) Madison Avenue at Western Road.
 - (7) Kennedy Avenue at Wilson Avenue. (Ord. 93-27)
 - (8) Westlawn Avenue at Wilson Avenue. (Ord. 93-27)
 - (9) Holly Lane at Susan Lane (north) (Ord. 96-32)
 - (10) Holly Lane at Susan Lane (south) (Ord. 96-32)
 - (11) Glenwood Drive at Susan Lane (north) (Ord. 96-32)
 - (12) Glenwood Drive at Susan Lane (south) (Ord. 96-32)
 - ~~(13) Fox Pointe Avenue at Wilson Street (Ord. 98-14) (Ord. 2010-06)~~
 - ~~(14) Cedar Pointe Avenue at Wilson Street (Ord. 98-14) (Ord. 2010-06)~~
 - (15) Mulberry Avenue at Wilson Street (Ord. 98-14)
 - (16) Tyler Street at Jefferson Avenue (Ord. 99-11)
 - (17) Buchanan Street at Cedar Pointe Avenue (for east and westbound traffic) (Ord. 2000-03)
 - (18) Wilson Street at Mulberry Avenue (for westbound traffic) (Ord. 2000-03)
 - (19) West Pointe Street at Greystone Drive (north). (Ord. 2000-19)
 - (20) West Pointe Court at Greystone Drive (south). (Ord. 2000-19)
 - (21) West Pointe Street at Mulberry Avenue (east). (Ord. 2000-19)

- (22) Lexington Street at Cambridge Avenue (for westbound traffic) (Ord. 2004-32)
- (23) Aspen Street at Cambridge Avenue (for westbound traffic) (Ord. 2004-32)
- (24) Fieldcrest Street at Cambridge Avenue (for westbound traffic) (Ord. 2004-32)
- (25) Montgomery Avenue at the intersection with Chatham Street (Ord. 2008-01)
- (26) Lancaster Court at Covington Square East (Ord. 2010-07)
- (27) Wilshire Drive at Park Lane (Ord. 2010-15)

SEC. 10-1-17 RIGHT TURNS, LEFT TURNS AND U TURNS PROHIBITED AT CERTAIN LOCATIONS.

- (a) **Left Turns Prohibited.** There shall be no left turn at the following intersections:
 - (1) Eastbound traffic on Columbia Road, at its intersection with Bridge Road.
 - (2) Westbound traffic exiting the driveway located two hundred twenty-five (225) feet south of the southeast corner of Washington Avenue and Lincoln Boulevard onto Washington Avenue.
- (b) **Right Turns Prohibited.** It shall be unlawful for an operator of any vehicle to make a right turn from:
 - (1) Eastbound traffic on Bridge Road, at its intersection with Columbia Road.
- (c) **Right Turn Prohibited on Red.** There shall be no right turn on red at the following intersections:
 - ~~(1) Northbound traffic on Washington turning right onto Columbia Road.~~ (Ord. 2006-03)
 - (2) Eastbound traffic on Lincoln Boulevard turning right onto Washington Avenue when pedestrians are present. (Ord. 91-11)
 - (3) Westbound traffic on Lincoln Boulevard turning right onto Washington Avenue when pedestrians are present. (Ord. 93-28)
 - (4) Highland Drive turning right onto Columbia Road when pedestrians are present. (Ord. 2000-08; 2006-03)
 - (5) Columbia Road turning right onto Bridge Road when pedestrians are present. (Ord. 2000-08; 2006-03)
 - (6) Columbia Road turning right onto Highland Drive when pedestrians are present. (Ord. 2000-08; 2006-03)
 - (7) Columbia Road turning right onto Washington Avenue when pedestrians are present. (Ord. 2000-34)
 - (8) Washington Avenue turning right onto Columbia Road when pedestrians are present. (Ord. 2000-34)
 - (9) Eastbound traffic on Western Road turning right onto Washington Avenue when pedestrians are present. (Ord. 2004-12)
- (d) **U-Turns Prohibited.** U-turns shall be prohibited at the following specified locations:
 - (1) Evergreen Boulevard and Bridge Road.
 - (2) Evergreen Boulevard and Victoria Court.
 - (3) Evergreen Boulevard and Center Street.
 - (4) Washington Avenue and Hamilton Road.
 - (5) Washington Avenue and Spring Street.

- (6) Washington Avenue and Mill Street.
- (7) Washington Avenue and Center Street.
- (8) Washington Avenue and Turner Street.
- (9) Washington Avenue and Cleveland Street.
- (10) Washington Avenue and Sheboygan Road.
- (11) Washington Avenue and Elm Street.

SEC. 10-1-18 AND SEC. 10-1-19 RESERVED FOR FUTURE USE.

(Legal Holidays - Wis. Stat. 895.20)

ARTICLE C

Parking Regulations

SEC. 10-1-20 RESTRICTIONS ON PARKING; POSTED LIMITATIONS.

(a) **Posted Limitations.**

- (1) The Common Council may designate certain streets or portions of streets as no parking or no stopping or standing zones or as zones for parking by physically handicapped persons and may limit the hours in which the restrictions apply. The City shall mark, by appropriate signs, each zone so designated in accordance with the provisions of Sec. 349.13, Wis. Stats.
- (2) Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, no person shall stop or park a vehicle in an established no stopping or standing zone when stopping or standing is prohibited. No vehicle shall be parked in a no parking zone during hours when parking is prohibited except physicians on emergency calls or as permitted by state law or elsewhere by this Code of Ordinances.
- (3) The Chief of Police is hereby granted the authority, within the reasonable exercise of police power to prohibit, limit the time or otherwise restrict the stopping, standing or parking of vehicles beyond the provisions of Chapter 346. The Chief of Police, in cooperation with the Public Works Department, shall have the authority to restrict the turning or movement of heavy traffic and to impose special weight limitations on any highway or portions thereof which, because of the weakness of the roadbed due to deterioration or climatic conditions or other special or temporary conditions, would likely be seriously damaged or destroyed in the absence of any restrictions on heavy traffic movement or special weight limitations.
- (4) No prohibition, restriction or limitation on parking or restriction on movement or turning of heavy traffic and imposition of special weight limits is effective unless official traffic control devices have been placed or erected indicating the particular prohibition, restriction or limitation.
- (5) After the parking limitations on any given street have expired, any change of location of not more than one (1) stall following expiration of the period allowed shall be and constitute a violation of this Chapter.

- (b) **Suspension Powers of the Mayor.** For a limited and reasonable period of time, the Mayor, with the consent of the Council, may suspend the parking time limitations upon notification to the Chief of Police. In the event there does not exist sufficient time to notify the Common Council of his desire to do so because of untimely notice or advance information or request to the Mayor, said Chief Executive is then authorized to take such action without approval of the Council.

**SEC. 10-1-21 PARKING RESTRICTIONS DURING TEMPORARY SNOW REMOVAL
OR STREET MAINTENANCE.**

- (a) **Street Maintenance.** Whenever it is necessary to clear or repair a City roadway or any part thereof, the Public Works Department and/or Police Department shall post such highways or parts thereof with signs bearing the words "No Parking." Such signs shall be erected at least two (2) hours prior to the time that street maintenance work is to be commenced. No person shall park a motor vehicle in violation of such signs.
- (b) **Temporary Parking Restrictions for Special Events.** Pursuant to the provisions of Subsection 349.13, Wis. Stats., the Chief of Police is authorized to direct that temporary "No Parking" signs be erected by the Public Works Department during parades, festivals and other authorized events that require the regulating of vehicle stopping, standing or parking on City roadways. The temporary regulation shall be limited to the time the event exists or is likely to exist.
- (c) **Parking During Snow Removal.** No person shall park, place or leave standing any automobile, truck or other vehicle on any street or public way after one (1) hour from the time such area has been designated and marked with signs or barriers by the Police Department and/or the Department of Public Works of the City indicating no parking due to snow removal.

**SEC. 10-1-22 STOPPING OR PARKING PROHIBITED IN CERTAIN SPECIFIED
PLACES.**

- (a) **Parking Prohibited.** No person shall stop, park or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, in any of the following places:
 - (1) Within an intersection.
 - (2) On a crosswalk.
 - (3) On a sidewalk or parkway area, except when parking in such place is clearly indicated by official traffic signs or markers or parking meters. "Parkway or Sidewalk Area" means that area between the sidewalk and the nearest curb line running parallel or generally parallel thereto or in the absence of a sidewalk ten (10) feet beyond the curb line.
 - (4) Alongside or opposite any highway excavation or obstruction when such stopping or standing would obstruct traffic or when pedestrian traffic would be required to travel in the roadway.
 - (5) On the roadway side of any parked vehicle unless double parking is clearly indicated by official traffic signs or markers.
 - (6) Within twenty (20) feet of the driveway entrance to a fire station.
 - (7) Upon any portion of a highway where and at the time when stopping or standing is prohibited by official traffic signs indicating the prohibition of any stopping or standing.
 - (8) In any place or manner so as to obstruct, block or impede traffic.

- (9) Within ten (10) feet of a fire hydrant, unless a greater distance is indicated by an official traffic sign.
- (10) Upon any portion of a highway where and at the time when parking is prohibited, limited or restricted by official traffic signs.
- (11) Upon any bridge.
- (12) Upon any street or highway within the City limits any vehicle which faces a direction different from the direction of normal traffic flow for the lane of traffic in which said vehicle is stopped or standing.
- (13) Upon any terrace or sidewalk in the City at any time.
- (b) **Parking in Driveways.** No person shall park or leave standing any motor vehicle in any private driveway without the permission of the owner or lessee of the property which such driveway is located, whether or not such driveway is posted to limit or restrict parking.
- (c) **Vehicles Not to Block Private Drive, Alley or Fire Lane.** No vehicle shall, at any time, be parked so as to unreasonably restrict the normal access to any drive, alley or fire lane. Said access shall be deemed to be unreasonably restricted if any vehicle is parked within four (4) feet of either side of said access. Upon discovery by a police officer or upon complaint by the owner of any such blocked drive, alley or fire lane, a City law enforcement officer may order said vehicle towed from such position at the risk and expense of the owner of said vehicle.
- (d) **Parking Vehicle for Repair or to Display for Sale Prohibited.** No person shall stand or park a vehicle on any street, alley, public right-of-way or municipal parking lot in the City for the purpose of repairing said vehicle or to display such vehicle for sale.

SEC. 10-1-23 PARKING RESERVED FOR VEHICLES OF DISABLED.

- (a) When official traffic signs indicating such restriction have been erected in accordance with Section 10-1-3 of this Chapter, no person shall park, stop or leave standing any vehicle upon any portion of a street, highway or public or private parking facility reserved for vehicles displaying special registration plates or identification cards or emblems issued by the Wisconsin Department of Transportation or, for vehicles registered in another jurisdiction, by such other designating the vehicle as one used by a physically disabled person.
- (b) The following streets, parts thereof, are reserved for parking for the handicapped only:
 - (1) On the south side of Portland Road from a point five hundred eight (508) feet west of the southwest corner of the intersection of Hilbert Avenue with Portland Road to a point five hundred seventy-five (575) feet west from said intersection.
 - (2) On the south side of Hamilton Road from a point eighty (80) feet from the intersection of Hamilton Road and Washington Avenue to a point one hundred forty-five (145) feet east from said intersection.
 - (3) On the east side of Washington Avenue from a point eighty-four (84) feet north of the main entrance to Firemen's Park for a distance of one-hundred seventy nine (179) feet. (Ord. 91-20) (Ord. 91-32) (Ord. 98-16)
 - (4) On the west side of Hilbert Street from a point sixty-eight (68) feet north of the

northwest corner of Hilbert Avenue and Spring Street, for a distance of 24 feet. (Ord. 95-35)

SEC. 10-1-24 PARKING VEHICLES WITH MOTOR RUNNING.

No person shall park or leave standing any motor vehicle with the motor or refrigerator unit running for more than thirty (30) minutes within three hundred (300) feet of any residence within the City between the hours of 10:00 p.m. and 7:00 a.m.

SEC. 10-1-25 UNATTENDED MOTORIZED MACHINERY.

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

SEC. 10-1-26 ANGLE PARKING.

Angle parking or parking diagonally is prohibited on all the streets, alleys and highways of the City except in places where vehicle parking markers indicate that the same is permissible. All vehicles shall park parallel to, and within one (1) foot of the curb except where streets and parking lots are so marked for angle parking.

SEC. 10-1-27 PARKING PROHIBITED ZONES.

- (a) **Parking Prohibited Zones.** No person shall park or leave standing any vehicle upon any of the following highways, streets or parts thereof, except temporarily for the purpose of and while actually engaged in receiving or discharging passengers. Either the operator or owner of any vehicle may be held responsible the violation of this Section.
- (1) On the west side of Washington Street for a distance of fifty-three (53) feet north of the north curb of Turner Street.
 - (2) On the west side of Washington Avenue for a distance of forty (40) feet of the south curb of Turner Street
 - (3) On the west side of Washington Avenue for a distance of two hundred eighteen (218) feet north of the north curb of Center Street.
 - (4) On the west side of Washington Avenue for a distance of fifty (50) feet south of the south curb of Center Street.
 - (5) On the west side of Washington Avenue for a distance of seventy-five (75) feet north of the north curb of Mill Street.
 - (6) On the west side of Washington Avenue for a distance of forty-nine (49) feet south of the south curb of Mill Street.

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- (7) On the west side of Washington Avenue for a distance of one hundred (100) feet north of the north curb of Western Road.
- (8) On the easterly side of Washington Avenue for a distance of fifty-three (53) feet northwest from the north curb line of Bridge Road at its intersection with Washington Avenue.
- (9) On the easterly side of Washington Avenue for a distance of fifty-eight (58) feet southeast from the south curb line of Bridge Road at its intersection with Washington Avenue.
- (10) On the north side of Bridge Road from the east curb of North Washington Avenue at its junction with Bridge Road, easterly to the west curb of Riveredge Drive at its junction with Bridge Road.
- (11) On the south side of Bridge Road commencing at a point one hundred twelve (112) feet east of the west curb of Washington Avenue at its junction with Bridge Road easterly for a distance of one hundred eighty (180) feet.
- (12) On the north side of Columbia Road for a distance of two hundred five (205) feet west from the west curb of Mequon Avenue at its junction with Columbia Road.
- (13) On the south side of Columbia Road for a distance of two hundred twenty (220) feet west from the west curb of Mequon Avenue extended at its junction with Columbia Road.
- (14) On the east side of Washington Avenue for a distance of seventy-seven (77) feet from the south curb of Sheboygan Road at its junction with Washington Avenue.
- (15) On the west side of Sheboygan Road for a distance of ninety (90) feet from the Northeast curb of Washington Avenue at its junction with Sheboygan Road, and on the east side of Sheboygan Road for a distance of two hundred and sixty-four (264) feet from the southeast curb of Washington Avenue at its junction with Sheboygan Road. (Ord. 94-30)
- (16) On the south side of Cleveland Street for a distance of fifty-five (55) feet west from the west curb of Washington Avenue at its junction with Cleveland Street.
- (17) On the north side of Center Street between Washington Avenue and Hanover Street.
- (18) On the west side of Washington Avenue between Spring Street and Lincoln Boulevard.
- (19) On the west side of Washington Avenue for fifty (50) feet south of Elm Street.
- (20) On the north side of Columbia Road for a distance of one hundred twenty-five (125) feet west of Washington Avenue.
- (21) On the west side of Highland Drive commencing at a point two hundred five (205) feet southeasterly of the south curb of Columbia Road at its junction with Highland Drive and extending southerly and easterly along Highland Drive for a distance of three hundred fifty (350) feet.
- (22) On the north side of Western Road for a distance of two hundred (200) feet west from the west curb of Washington Avenue at its junction with Western Road.
(Ord. 2003-14)
- (23) On the north and south sides of Western Road for a distance of fifty (50) feet east of

- the east curb of Madison Avenue and for a distance of fifty (50) feet west of the west curb of Madison Avenue at its junction with Western Road.
- (24) On either side of Taunton Street commencing at the south right-of-way of Pioneer Road and extending south thirty (30) feet.
 - (25) On the north side of Portland Road for a distance of ninety (90) feet west of the west curb of Hilbert Avenue.
 - (26) On the southerly side of Hamilton Road commencing at the centerline of the Wisconsin Central Railroad Ltd. tracks extending southeasterly sixty-five (65) feet to the driveway located at that point.
 - (27) On the north side of Jackson Street for a distance of seventy-five (75) feet east of the east curb of Washington Avenue.
 - (28) On the west side of Washington Avenue for a distance of forty-eight (48) feet north of the north curb of Cleveland Street.
 - (29) On the east side of Hilbert Avenue between Portland Road and Edgewater Drive.
 - (30) On the east side of Washington Avenue commencing at a point on the easterly edge of the right-of-way of Washington Avenue one hundred thirty (130) feet northwesterly from the northeast corner of Washington Avenue and Sheboygan Road; thence northwesterly along Washington Avenue a distance of twenty-five (25) feet.
 - (31) On the east side of Highland Drive from its junction with Columbia Road and extending southerly and easterly along Highland Drive for a distance of three hundred fifty (350) feet.
 - (32) On the south side of Bridge Road from its junction with Columbia Road westerly a distance of one hundred thirty (130) feet.
 - (33) On the east side of Madison Avenue for a distance of one hundred sixty-five (165) feet south of the south curb of Western Road at its junction with Madison Avenue.
 - (34) On the west side of Madison Avenue for a distance of one hundred ten (110) feet south of the south curb of Western Road at its junction with Madison Avenue.
 - (35) On the east side of Washington Avenue a distance of seventy (70) feet south of the south curb of Mill Street.
 - (36) On the west side of Taunton Avenue for a distance of fifty (50) feet south from a point three hundred ten (310) feet south of the intersection of the west right-of-way line of Taunton Avenue and the centerline of Pioneer Road and on the east side of Taunton Avenue from the driveway to Pioneer Container Corporation parking lot north to Pioneer Road.
 - (37) On the north side of Bridge Road for a distance of one hundred ninety-two (192) feet west of the western boundary line of the crosswalk at the intersection of Bridge Road and Columbia Road.
 - (38) On the north side of Jackson Street from Washington Avenue to Hanover Avenue.
(Ord. 2010-08)
 - (39) On the north side of Columbia Road from its junction with Bridge Road to the east curb of Jefferson Avenue at its junction with Columbia Road.

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- (40) On the southerly side of Columbia Road commencing one hundred fifty-five (155) feet west of the intersection with Highland extending east along Columbia Road to the easterly City limits.
- (41) On the west side of Washington Avenue for a distance of forty-six (46) feet south of the north curb of Spring Street at its junction with Washington Avenue.
- (42) On the east side of Hanover Avenue from Cleveland Street to a point one hundred eighty (180) feet north of the intersection of Turner Street and Hanover Avenue.
- (43) On the west side of Hanover Avenue commencing at a point two hundred sixty (260) feet north of the northwest curb of Hanover Avenue at its intersection with Center Street for a distance of fifty-eight (58) feet north.
- (44) On the west side of Washington Avenue from the intersection of Western Road with Washington Avenue to a point sixty-five (65) feet south of said intersection.
- (45) On the east and west sides of Washington Avenue from the intersection of Washington Avenue with Lincoln Boulevard south to the intersection of Washington Avenue with Pioneer Road.
- (46) On the north side of Center Street from the west curb line of Hanover Avenue extended southerly to a point one hundred six (106) feet westerly thereof. (Ord. 92-24)
- (47) On the east side of Madison Avenue southerly for a distance of one hundred forty-seven (147) feet from the south side of its intersection with Cleveland Street.
- (48) On the south side of Center Street for a distance of seventy (70) feet west of the west curb of Washington Avenue.
- (49) On the west side of Keup Road, between Columbia Road and Georgetown Drive.
- (50) On the east side of Doerr Way.
- (51) On the west side of McKinley Boulevard for a distance of six hundred (600) feet north of the north curb of Wirth Street.
- (52) On the east side of McKinley Boulevard for a distance of three hundred fifty (350) feet north of the north curb of Garfield Avenue.
- ~~(53) On the east side of Washington Avenue for a distance of one hundred fifty (150) feet south from the south side of its intersection with Pioneer Road. (deleted per Ord. 95-28)~~
- (54) On the south side of Western Road for a distance of eight hundred thirty (830) feet west of the southwest corner of the intersection with Washington Avenue.
(Ord. 90-22) (Ord. 96-20)
- (55) At the intersection of Hilbert Avenue and Hamilton Road for a distance of thirty (30) feet, on both sides of Hilbert Avenue and on both sides of Hamilton Road, from the intersecting right-of-way lines in a northeast and southwest direction on Hilbert Avenue and in a northwest and southeast direction on Hamilton Road.
- (56) On the south side of Hamilton Road for a distance of approximately eighty-four (84) feet west from the intersecting curb line with Johnson Street.(Ord. 92-26)
- (57) On the south side of Hamilton Road for a distance of approximately two hundred-eighty (280) feet to the east from the intersecting curb line with Johnson Street.
(Ord. 92-26 (Ord. 92-50)
- (58) On the west side of Johnson Street for a distance of approximately seventy-two (72)

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- feet south from the intersecting curb line with Hamilton Road. (Ord. 92-26)
- (59) On the east side of Johnson Street for a distance of approximately thirty-nine (39) feet south from the intersecting curb line with Hamilton Road. (Ord. 92-26)
- (60) On the south side of Bridge Road for a distance of eighty-three (83) feet from the intersection curblines of Riveredge Drive to the west, stopping at the private drive to the residence of N69 W6261 Bridge Road. (Ord. 92-41)
- (61) On the north side of Hamilton Road starting at a distance of two hundred-fifty (250) feet east of the intersecting curblines with Hilbert Street and continuing east for a distance of eighty-four (84) feet. (Ord. 92-42)
- (62) On the south side of Cleveland Street for a distance of sixty (60) feet west from the southwest corner of the intersection of Cleveland Street and Hanover Avenue. (Ord. 93-24)
- (63) On the north side of Cleveland Street from the intersection of Madison Avenue and Cleveland Street west to the intersection of Evergreen Blvd. and Cleveland Street. (Ord. 93-34)
- (64) On the west side of Cardinal Avenue for a distance of fifty (50) feet north of the northwest corner of the intersection with Zeunert Street; on the east side of Cardinal Avenue for a distance of thirty (30) feet north across from the northwest corner of the intersection with Zeunert Street, and on the east side of Cardinal Avenue for a distance of 130 feet south, beginning at a point five hundred twenty four (524) feet south from the southeast corner of Lincoln Blvd. (Ord. 94-24)
- (65) On the south side of Lincoln Blvd. for a distance of ninety (90) feet west of the southwest corner of the intersection with Washington Avenue. (Ord. 94-48)
- (66) On the south side of Bridge Road for a distance of one hundred fifty-six (156) feet west of the southwest corner of the intersection with Washington Avenue. (Ord. 94-47)
- (67) On the east side of Washington Avenue from Pioneer Road south to the city limits. (Ord. 95-34)
- (68) On the west side of Washington Avenue eight hundred (800) feet south from the southwest corner of Pioneer Road and Washington Avenue. (Ord. 95-34)
- (69) On the north side of Jackson Street from Washington Avenue east to Hilgen Avenue and on the west side of Hilgen Avenue from Jackson St. to Hamilton Rd. (Ord. 96-03a)
- (70) On the north side of Mill Street between Washington Avenue and Portland Road. (Ord. 96-21)
- (71) On the south side of Mill Street for a distance of forty (40) feet east from the intersection with Washington Avenue and commencing two-hundred (200) feet east from the intersection with Washington Avenue to Portland Road. (Ord. 96-21)
- (72) On the west side of Harrison Avenue northerly for a distance of seventy-four (74) feet commencing at the north end of the northern most driveway of Parkview School. (Ord. 96-30)
- (73) On the north and south sides of Pioneer Road from Washington Avenue east to the city limits (Ord. 2002-22)
- (74) On the west side of Cardinal Avenue three hundred and seventy-four (374) feet south from the southwest corner of Zeunert Street and Cardinal Avenue for a distance of

- seventy-five (75) feet. (Ord. 98-09)
- ~~(75) On the north side of Zeunert, commencing at the intersecting curb line of Zeunert Street and Washington Avenue for a distance of three hundred forty (340) feet to the east. (Ord. 98-10) (Ord. 2008-08)~~
- (76) On the north side of Bridge Road for a distance of one hundred seven (107) feet west of the west curb of Washington Avenue. (Ord. 99-29)
- (77) On the north side of Cambridge Avenue, commencing at the intersecting curb line of Washington Avenue for a distance of one hundred forty-two (142) feet to the east. (Ord. 2000-07)
- (78) On the north side of Bridge Road from the intersection of Bridge Road and Cedar Ridge Drive to the intersection of Bridge Road and Columbia Road. (Ord. 2000-26)
- (79) On the north side of Alyce Street from the crosswalk at Washington Avenue to a point forty (40) feet west, and on the south side of Alyce Street from the crosswalk at Washington Avenue to the first driveway to the west. (Ord. 2000-38)
- (80) On the south side of Fairfield Street commencing at the east line of the Wisconsin Electric Power Company right-of-way and extending forty (40) feet to the east. (Ord. 2001-37)
- (81) On the east wide of Juniper Lane from the north right-of-way line of Western Road to a point one hundred fifteen (115) feet north. (Ord. 2002-10)
- (82) On the west side of Juniper Lane from the north right-of-way line of Western Road to a point two hundred ten (210) feet north. (Ord. 2002-10)
- (83) On the west side of Johnson Avenue from Lincoln Blvd. to a point two hundred (200) feet north of Lincoln Blvd. (Ord. 2002-23)
- (84) On both sides of Alder Street. (Ord. 2007-10)
- (85) On the south side of Columbia Road for a distance of seventy two (72) feet west of the west curb line on the easterly leg of Cedar Court, and for a distance of forty five (45) feet east of the east curb line on the easterly leg of Cedar Court. (Ord. 2009-09)

SEC. 10-1-28 PARKING REGULATED ZONES.

When signs are erected in any block giving notice thereof, no person shall park or leave standing any vehicle for longer than the period specified upon any of the following highways, streets or parts thereof, except temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

- (a) **Parking for More Than One (1) Consecutive Hour.**
- (1) On the south side of Jackson Street from a point 270 feet east of Washington Avenue to Hilgen Avenue between the hours of 7:00 a.m. and 7:00 p.m., except Saturdays and Sundays. (Ord. 96-06) (Ord. 2005-03)
- (b) **Parking for More than One (1) Consecutive Hour on School Days Between 7:00 A.M. and 3:00 P.M.** Parking on the following streets is limited to one (1) hour between 7:00 a.m. and 3:00 p.m. on the days school is in session:
- (1) On the west side of Evergreen Blvd. from Center Street north to Cleveland Street. (Ord. 93-26)

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- (2) On the east side of Evergreen Blvd. from Center Street north to Cleveland Street.
(Ord. 93-26)
- (c) **Parking for More than Two (2) Consecutive Hours Between 7:00 A.M. and 7:00 P.M.** Parking on the following streets is limited to two (2) hours between 7:00 a.m. and 7:00 p.m., except on Sundays and holidays:
- (1) On both sides of Washington Avenue between Spring Street and Cleveland Street.
 - (2) On both sides of Hanover Avenue between Western Road and Turner Street.
 - (3) On both sides of Mill Street between Washington Avenue and Hanover Avenue.
 - (4) On both sides of Turner Street between Washington Avenue and Hanover Avenue.
 - (5) On the south side of Victoria Court between Evergreen Boulevard and Madison Avenue.
 - (6) On both sides of Spring Street commencing at the east curb of Washington Avenue at its junction with Spring Street and extending one hundred seventy-five (175) feet east of the centerline of Washington Avenue.
 - (7) On the south side of Bridge Road between Washington Avenue and the bridge crossing Cedar Creek.
 - (8) On the southerly side of Hamilton Road commencing at a point two hundred (200) feet southeasterly of the centerline of the Wisconsin Central Railroad Ltd. tracks extending southeasterly for a distance of seventy (70) feet.
 - (9) On the north side of Hamilton Road for a distance of four hundred sixty (460) feet northwesterly from the west curb of Park Street at the intersection of Hamilton Road.
 - (10) On the north side of Hamilton Road between Hilbert Avenue and the Wisconsin Central Railroad Ltd. right-of-way.
 - (11) On the west side of Doerr Way commencing at a point seventy-three (73) feet south of Pioneer Road on the west side of Doerr Way, running south for a distance of six hundred (600) feet.
 - (12) On both sides of Columbia Road east from Washington Avenue to Portland Road.
 - (13) On the south side of Cleveland Street between Hanover Avenue and Washington Avenue.
 - (14) On the south side of Center Street between Washington Avenue and Hanover Avenue.
 - (15) On the south side of Mill Street, commencing forty (40) feet east of the intersection with Washington Avenue easterly for 160 feet. (Ord. 96-21)
- (d) **Parking for More Than Two (2) Consecutive Hours on School Days Between 7:00 A.M. and 3:00 P.M.** Parking on the following streets is limited to two (2) hours between 7:00 a.m. and 3:00 p.m. on the days school is in session:
- ~~(1) On the north side of Cleveland Street from its intersection with the east side of Evergreen Boulevard east to the west side of Madison Avenue. (deleted per Ord. 93-34)~~
 - (2) On both sides of Cleveland Street between Evergreen Boulevard and Harrison Street.
(Ord. 93-26)
 - (3) On both sides of Cleveland Street west of Harrison Street for sixty (60) feet to the end of the roadway. (Ord. 93-26)

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- (4) On both sides of Harrison Street between Cleveland Street and Bridge Road.
(Ord. 93-26)
 - ~~(5) On both sides of Harrison Street south of Cleveland Street for one hundred forty (140) feet to the end of the roadway. (deleted per Ord. 94-50)~~
 - (6) On both sides of Cleveland Court, north of Cleveland Street. (Ord. 93-26)
 - (7) On the east side of Juniper Lane for a distance of five hundred (500) feet north from its intersection with Western Road. (Ord. 93-26)
 - (8) On the north side of Cleveland Street between Evergreen Boulevard and Madison Avenue. (Ord. 93-26)
 - (9) On the east side of Juniper Lane for a distance of five hundred (500) feet north from its intersection with Western Road. (Ord. 93-26)
 - (10) On the south side of Victoria Court between Evergreen Boulevard and Madison Avenue, and on the north side of Victoria Court for a distance of three hundred (300) feet west from its northwest intersection with Madison Avenue. (Ord. 94-50)
 - (11) On both sides of Center Street for a distance of two hundred seventy-six (276) feet east from its intersection with Evergreen Boulevard.. (Ord. 94-49)
 - (12) On the east side of Evergreen Boulevard for a distance of two hundred ninety (290) feet north from the northeast corner of Cleveland Street, and on the west side of Evergreen Boulevard for a distance of three hundred sixty-five (365) feet north from the northwest corner of Cleveland Street. (Ord. 94-51)
 - (13) On the west side of Madison Avenue from the south line of Victoria Court to a point 230 feet south of Victoria Court.
- (e) **Parking for More Than Two (2) Consecutive Hours Between 9:00 A.M. and 5:00 P.M.**
Parking on the following street is limited to two (2) consecutive hours between 9:00 a.m. and 5:00 p.m.:
- (1) On both sides of Riveredge Drive North for a distance of three hundred fifty-seven (357) feet from the north side of its intersection with Bridge Road.
- (f) **Parking for More Than Three (3) Consecutive Hours.**
- (1) Parking on the following streets is limited to three (3) hours, between 7:00 a.m. and 7:00 p.m., except on Sundays and holidays:
 - a. On both sides of Washington Avenue between Cleveland Street and Elm Street.
 - b. On the west side of Portland Road for a distance of one hundred sixty (160) feet south from the intersection with Columbia Road and on the east side of Portland Road for a distance of one hundred (100) feet south from the intersection with Columbia Road. (Ord. 98-13)
 - c. On both sides of Elm Street between Washington Avenue and St. John Avenue.
 - (2) Parking on the following street is limited to three (3) hours between 7:00 am. and 7:00 p.m.:
 - a. On both sides of Bridge Road, west from Washington Avenue to St. John Avenue.

- (3) Parking on the following street is limited to three (3) hours between the hours of 6:00 a.m. to 6:00 p.m., except on Sundays and holidays:
 - a. On both sides of Wirth Street, commencing two hundred twenty-eight (228) feet east of its intersection with the centerline of Sommerset Avenue for a distance of one hundred seventy-two (172) feet.
- (g) **Parking for More Than Two (2) Consecutive Hours.**
Parking on the following streets is limited to two (2) hours:
 - (1) On the entire east side of the westerly leg of Cedar Court. (Ord. 2004-13)
- (h) **Parking for More Than Four (4) Consecutive Hours.**
 - (1) On the east and west sides of Washington Avenue for a distance of 100 feet north and south of the Poplar Avenue right-of-way lines extended. (Ord. 2005-21)

SEC. 10-1-29 MISCELLANEOUS RESTRICTED PARKING HOURS ON CERTAIN STREETS.

There shall be no parking on the following streets during the designated hours:

- ~~(a) On the east side of Washington Avenue to a point seventy (70) feet south of the south curb of Mill Street to a point one hundred sixteen (116) feet south of the south curb of Mill Street between the hours of 8:00 a.m. and 6:00 p.m. except Sundays and holidays. (deleted per Ord. 90-22)~~
- (b) On the west side of Washington Avenue commencing one hundred sixty (160) feet south of the southwest corner of Western Road at its intersection with Avenue for a distance of sixty-four (64) feet south between the hours of 7:00 am. and 6:00 p.m., Monday through Friday, and on Saturday and Sunday between the hours of 1:00 a.m. and 12:00 noon.
- (c) On the east side of Sheboygan Road from the intersection of Sheboygan Road with Washington Avenue beginning at a distance of two hundred and sixty-four (264) feet north of the southeast intersection to a point which is at the end of a line which is perpendicular to the west side of Sheboygan Road and ends at the south curb of Willowbrooke Drive at its intersection with Sheboygan Road between the hours of 8:00 a.m. and 6:00 p.m. At the discretion of the Chief of Police, during Maxwell Street Days, Ozaukee County Fair, and other city festivals, parking may be allowed in all or part of this restricted area. (Ord. 94-30)
- (d) On the north side of Victoria Court commencing at a point two hundred ninety-two (292) feet west of Madison Avenue to the intersection of Evergreen Boulevard between the hours of 7:00 a.m. and 3:00 p.m. on school days.
- (e) On both sides of Wirth Street, commencing two hundred twenty-eight (228) feet east of its intersection with the centerline of Sommerset Avenue for a distance of one hundred seventy-two (172) feet, between the hours of 6:00 a.m. to 6:00 p.m., except on Sundays and holidays.

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- (f) On the south side of Wilson Avenue for a distance of one hundred (100) feet west of the west curb of Madison Avenue between the hours of 7:30 a.m. and 4:30 p.m. on school days. (Ord. 91-25) (Ord. 91-27)
- (g) On the north side of Wilson Avenue for a distance of seventy-eight (78) feet west of the west curb of Madison Avenue between the hours of 7:30 a.m. and 4:30 p.m. on school days. (Ord. 91-25) (Ord. 91-27)
- (h) On the north side of Lincoln Blvd. for a distance of fifty (50) feet east of the east curb of Madison Avenue between the hours of 7:30 a.m. and 4:30 p.m. on school days. (Ord. 91-25) (Ord. 91-27)
- (i) On the east side of Madison Avenue for a distance of fifty-five (55) feet north of the north curb of Lincoln Blvd. between the hours of 7:30 a.m. and 4:30 p.m. on school days. (Ord. 91-27)
- (j) On the west side of Madison Avenue between Lincoln Blvd. and Wilson Avenue between the hours of 7:30 a.m. and 4:30 p.m. on school days.
- (k) On the east side of Harrison Avenue commencing at a point one hundred-sixty (160) feet north of the intersecting curb line of Pine Street and continuing for a distance of four hundred ninety-six (496) feet between the hours of 8:00 a.m. and 9:00 a.m. and between 3:00 p.m. and 4:00 p.m. on school days. (Ord. 94-37)
- (l) Two-hour parking on the west side of the eastern most intersection of Columbia Road and Cedar Court southward for one hundred forty (140) feet. (Ord. 95-23)
- (m) On both the north and south sides of Thornapple Lane from the east intersection with Keup Road east to the Grafton Village limits during school days only, from 8:00 a.m. to 9:00 a.m. and from 3:00 p.m. to 4:00 p.m. (Ord. 96-27)
- (n) No parking, standing, or stopping on the south side of Hamilton Road from its intersection with Hilgen Avenue three hundred ten (310) feet northwest on school days between the hours of 7:30 a.m. and 3:30 p.m., with the exception of school buses which are in the process of loading or unloading school children. (Ord. 2003-04) (Ord. 2007-05)
- (o) No parking or standing on the east side of Keup Road from its intersection with Alpine Drive to a point 260 feet south of the Alpine Drive centerline. (Ord. 2003-23)
- (p) On the east side of Cardinal Avenue from a point beginning at 425 feet south of the south right-of-way line of Lincoln Boulevard to a point 532 feet south of said south right-of-way line, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. (Ord. 2005-25)
- (q) On the west side of Madison Avenue from the south line of Cleveland Street for a distance of 160 feet south during the hours of 7:00 a.m. to 3:00 p.m. Monday through Friday. (Ord. 2006-15)

SEC. 10-1-30 PARKING OF RECREATIONAL OR UTILITY VEHICLES ON CITY STREETS.

- (a) **Temporary Permit Required.** No person shall park, stop or leave standing any recreational vehicle, utility vehicle or trailer, or equipment for more than twenty-four (24) consecutive hours on any City street, alley, highway, public right-of-way, or City off-street parking lot in a residentially zoned area unless they possess a temporary permit. In no case may a person inhabit a mobile recreational unit overnight unless a temporary permit is obtained prior to such habitation and in no event shall a recreational vehicle be parked in or inhabited in a City park.
- (b) **Definitions.** "Mobile recreational vehicle or equipment" means any boat, boat trailer or unit designed as temporary living quarters for recreational, camping or travel use, regardless of size or weight, including, but not limited to, motor homes, travel trailers, pick-up trucks with camping units, pop-up camping trailers, house trailers, mobile homes, private or converted buses. The unit may have its own automotive power or be mounted on or drawn by an automotive vehicle. Utility vehicle or trailer means any unit designed to carry or transport items including, but not limited to, motorcycles, boats, snowmobiles, equipment, car or custom-built that is either enclosed or open in style.
- (c) **Permit Application.** A "temporary permit" may be obtained from the Cedarburg Police Department where there is no alternative parking available. Such permit shall be valid for a period of not more than seven (7) consecutive days. The permit may be renewed up to a maximum period of fourteen (14) days in any calendar year. No permission shall be granted for parking in lots adjacent to or included in a City park. Parking at Western and Hanover lot may be permitted by temporary permit, but no recreational vehicle shall be inhabited at such location.
- (d) **Exemptions.** Public utility equipment working in the public right-of-way under permit, and contractors engaged in City contracts are exempt from the requirements of this ordinance.

SEC. 10-1-31 PARKING RESTRICTIONS FOR NON-AUTOMOBILES.

- (a) **Compact Vehicle Parking Only.** In addition to all other parking restrictions set forth in this Chapter, compact vehicles only shall be allowed to park on the following streets:
 - (1) On the east side of Washington Avenue commencing at the intersection of the mid-point of Elm Street and the mid-point of Washington Avenue, thence northwesterly along Washington Avenue a distance of one hundred forty-eight (148) feet. (Ord. 95-06)
 - (2) On the north side of Hamilton Road commencing at the intersection of the mid-point of Hilgen Street thence northwesterly along Hamilton Road for a distance of one hundred ten (110) feet. (Ord. 98-19)
 - (3) On the north side of Portland Road commencing at the intersection of the mid-point of Highland Drive thence westerly along Portland Road for a distance of seventy-eight (78) feet. (Ord. 98-21)
 - (4) On the east side of Hanover Avenue for a distance of twenty-four (24) feet south of the driveway at W63 N582 Hanover Avenue. (Ord. 2003-16)

- (5) On the west side of Portland Road commencing at the intersection of the mid-point of Mill Street thence northerly along Portland Road for a distance of sixty-eight (68) feet. (Ord. 2003-17)
 - (6) On the west side of Portland Road commencing at the intersection of the mid-point of Mill Street thence southerly along Portland Road for a distance of sixty-one (61) feet. (Ord. 2003-17)
 - (7) On the east side of Washington Avenue in the first space immediately south of the Interurban Trail. (Ord. 2011-13)
- (b) **Bus Parking Prohibited.** No buses shall park on the following streets:
- (1) On Riveredge Drive. (Ord. 95-06)

SEC. 10-1-32 LONG-TERM PARKING.

- (a) No person shall park any vehicle on any City street, alley, highway, public right-of-way or City off-street parking lot in the City of Cedarburg for a period in excess of seven (7) consecutive days.
- (b) The restriction of Subsection (a) shall not be met if the vehicle is absent from such street, alley, public right-of-way or City off-street parking lot for less than twenty-four (24) consecutive hours during any seven (7) day period or is parked in another location within five hundred (500) feet of the location from which it has been moved within such seven (7) day period.

SEC. 10-1-33 WINTER PARKING; SNOW EMERGENCIES.

- (a) **Winter Parking.** No person shall park any vehicle on any street in the City of Cedarburg for a period of time longer than thirty (30) minutes between the hours of 2:00 a.m. and 6:00 a.m. between December 1 and April 1. This prohibition shall not apply to physicians or ambulances on emergency calls. This Section shall not alter or effect any other ordinance of the City of Cedarburg related to parking and towing of vehicles during a snow emergency.
- (b) **Snow Emergency.**
 - (1) Declaration of Emergency. A snow emergency shall exist whenever there is an accumulation of snow or whenever snow or inclement weather causes a serious public hazard to exist which impairs transportation, the movement of fuel, health and medical services, fire and police protection and other vital services and facilities of the City. Such emergency shall continue for a period of forty-eight (48) hours or until such earlier time as snow plowing operations have been declared completed or until the streets have been made reasonably safe for use by motor vehicles, all to be determined by the Director of Public Works.
 - (2) Alternate Side Parking. Whenever a snow emergency exists and the Director of Public Works causes an announcement thereof to be made by at least two (2) radio stations whose normal operating range includes the City of Cedarburg, it shall be

unlawful:

- a. For any person to park any motor vehicle upon the even-numbered side of any street in the City of Cedarburg on any odd-numbered day of the month or upon the odd-numbered side of any street in the City of Cedarburg on any even-numbered day of the month at any time; and
 - b. For any person to park any motor vehicle upon any street in the City of Cedarburg between the hours of 12:00 a.m. (midnight) and 6:00 a.m.
- (3) Duration. The parking restrictions imposed by this Section shall remain in effect during the course of any snow emergency and until such snow emergency terminates.
- (c) **Removal of Vehicles**. Whenever such an emergency exists, as previously defined, and any vehicles are illegally parked, stopped, or standing in such a manner as to prevent or impede snow clearance or removal in any manner upon any street, alley, highway, or parking lot, the City employees or their agents shall be authorized to move or remove such vehicles, where such vehicles will no longer prevent or impede such aforesaid snow clearance or removing. Towing fees will be assessed against the owner of such vehicle. This section shall not be construed to exempt the owner from other penalties which he may incur.

Cross Reference: Section 10-1-12.

SEC. 10-1-34 LOADING ZONE PARKING RESTRICTIONS.

- (a) **General Loading Zones**. No person shall park, stop, or leave standing any vehicle, whether attended or unattended, except while loading or unloading passengers, material or merchandise from such vehicle on the following streets or parts thereof:
- (1) On the south side of Zeunert Street, commencing at a point two hundred twenty-five (225) feet east of the east curb of Washington Avenue at its junction with Zeunert Avenue easterly for a distance of sixty (60) feet.
 - (2) On the east side of Washington Avenue from a point thirty (30) feet north of Bridge Road for a distance of one hundred eight (108) feet north.
 - (3) On the southerly side of Hamilton Road, commencing at a point eighty-eight (88) feet southeasterly of the centerline of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company tracks for a distance extending southeasterly one hundred twelve (112) feet.
 - (4) On the west side of Hanover Avenue, commencing at a point one hundred forty-five (145) feet north of the north property line of Center Street at the intersection of Hanover Avenue extending north thirty (30) feet.
 - (5) On the south side of Zeunert Street, commencing one hundred thirty (130) feet from the intersecting curb line of Cardinal Avenue and Zeunert Street for a distance of two hundred forty-two (242) feet to the west. (Ord. 98-10)
 - (6) On the south side of Cleveland Street, commencing at the southeast intersecting curb line of Cleveland Street and St. John Avenue easterly for a distance of sixty (60) feet. (Ord. 96-08)

- (7) At the westerly curb line of Washington Avenue, described as being from a point one hundred fifty two (152) feet south of the south curb line of Mill Street, south for a distance of eighteen (18) feet, between the hours of 8:00 a.m. and 4:00 p.m., except Sundays and holidays. (Ord. 96-16) (Ord. 2001-23)
 - (8) On the west side of Evergreen Blvd. commencing five hundred fourteen (514) feet south of the northwest corner of Evergreen Blvd. and Washington Avenue and southerly for a distance of sixty-six (66) feet (in front of Cedarburg Community Pool). (Ord. 96-25)
 - (9) On the east side of St. John Avenue, commencing ninety-six (96) feet and four (4) inches from the intersecting curb line of St. John Avenue and Cleveland Street for a distance of fifty (50) feet to the south. (Ord. 99-18)
- (b) **Bus Loading Zones.** No person shall park, stop, or leave standing any vehicle, whether attended or unattended, except buses while loading or unloading passengers on the following streets or parts thereof:
- (1) On the north side of Zeunert Street for a distance of one hundred forty (140) feet east from a point three hundred fifty-five (355) feet east of the east curb of Washington Avenue. (96-25)

SEC. 10-1-35 MUNICIPAL PARKING LOTS.

- (a) No person shall park any vehicle on any municipal parking lot for more than twenty-four (24) hours without police permission.
- (b) Parking of any vehicle on the following municipal parking lots is restricted to a maximum of four (4) hours between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, with the exception of holidays:
 - (1) Southeast corner of Hanover Avenue and Turner Street;
 - (2) Northeast corner of Hanover Avenue and Center Street;
 - (3) East side of Washington Avenue opposite the intersection of Turner Street.
 - ~~(4) Northeast corner of Hanover Avenue and Western Road (Ord. 2000-12) (Ord. 2005-13)~~
 - (5) Lot across from Fire Station #1 between Mequon Avenue and Jefferson Avenue.
- (c) Parking of any vehicle on the following municipal parking lots is restricted to a maximum of six (6) hours between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, with the exception of holidays:
 - (1) Northeast corner of Hanover Avenue and Western Road. (Ord. 2005-13)

SEC. 10-1-36 PARKING OF VEHICLES OVER 10,000 POUNDS OR 21 FEET RESTRICTED. (Ord. 2004-18)

- (a) No person owning or having control of any truck, trailer, tractor, or recreation vehicle in excess of ten thousand (10,000) pounds gross weight, or over twenty-one (21) feet in length, or having an enclosed area with a height of more than eight (8) feet from the roadway, shall park the same upon any street, avenue or public way in the City of Cedarburg between the

hours of 6:00 p.m. and 7:00 a.m. Two (2) hour parking will be allowed between 7:00 a.m. and 6:00 p.m. The provisions of this Subsection shall not be deemed to prohibit the lawful parking of such equipment upon any street, avenue or public way in the City for the actual loading or unloading of goods, ware or merchandise, providing, however, the "loading" and "unloading," as used in this Section, shall be limited to the actual time consumed in such operation. The Common Council may, however, designate specific truck parking zones. Public vehicles and equipment engaged in authorized government business are exempt from the requirements of this subsection. Vehicles and equipment actively engaged in construction, remodeling, or maintenance of adjacent private property may park on the street in accordance with posted parking restrictions between the hours of 7:00 a.m. and 6:00 p.m.

- (b) Any vehicle unlawfully parked under Subsection (a) above may be removed from the street by order of the Chief of Police, and the expense of so moving and storing such vehicle shall be paid by the operator or owner of said vehicle as a forfeiture in addition to the penalties hereafter prescribed.

SEC. 10-1-37 TRAFFIC AND PARKING REGULATIONS ON SCHOOL DISTRICT GROUNDS.

Pursuant to the provisions of Section 118.105, Wis. Stats., the following regulations shall apply to the grounds of the Cedarburg School District located within the City:

- (a) **Parking.** No Cedarburg High School student shall, between the hours of 7:00 a.m. and 4:00 p.m. on any day when school is in session, park any vehicle on any Cedarburg High School parking area designed for staff and visitors only. All parking on any grounds of the Cedarburg School District from 7:00 a.m. to 4:00 p.m. shall be restricted to areas designated for parking by the School Board. When signs are erected by the School Board giving notice of such restrictions, all persons shall park only in areas designated and signed for visitor parking. All parking on grounds of the Cedarburg School District from 7:00 a.m. to 4:30 p.m. shall be by permit only and shall be restricted to areas designated for parking by the District Board. When signs are erected by the School Board giving notice of such restrictions, no person shall park a motor vehicle in an area other than one for which he shall have been issued a permit or without displaying a valid permit. There shall be no parking on said grounds between 11:00 p.m. and 6:00 a.m., except when school functions extend past 11:00 p.m.; on such nights there shall be no parking one (1) hour after the function has concluded. All authorized visitors shall park only in areas designated and signed for visitor parking. No vehicle shall, at any time, be parked on a driveway of the Cedarburg High School.
- (b) **Speed Limits.** No person shall at any time operate a motor vehicle upon any Cedarburg School District grounds at a speed in excess of fifteen (15) miles per hour.

SEC. 10-1-38 UNLAWFUL REMOVAL OF PARKING CITATIONS.

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

vehicle.

SEC. 10-1-39 OPERATION OF MOTOR VEHICLES IN PUBLIC PARKING LOTS.

- (a) **Unlicensed Operators Prohibited.** No person who does not hold a valid operator's license shall operate a vehicle in any public parking lot or in any private parking lot held out for the use of parking for the general public.
- (b) **Traffic Regulations Applicable.** All provisions of Section 10-1-1 of this Chapter and of the Wisconsin Statutes and laws incorporated herein by reference shall be applicable on any public parking lot and on any private parking lot or road held out for use for the general public for parking or vehicular traffic.

SEC. 10-1-40 REMOVAL OF ILLEGALLY PARKED VEHICLES.

- (a) **Hazard to Public Safety.** Any vehicle parked, stopped or standing upon a highway or public parking lot or ramp in violation of any of the provisions of this Chapter is declared to be a hazard to traffic and public safety.
- (b) **Removal by Operator.** Such vehicle shall be removed by the operator in charge, upon request of any traffic officer, to a position where parking is permitted or to a private or public parking or storage premises.
- (c) **Removal by Traffic Office.** Any traffic officer after issuing a citation for illegal parking, stopping or standing of an unattended vehicle in violation of this Chapter, is authorized to remove such vehicle to a position where parking is permitted.
- (d) **Removal by Private Service.** The officer may order a motor carrier holding a permit to perform vehicle towing services, a licensed motor vehicle salvage dealer or a licensed motor vehicle dealer who performs vehicle towing services to remove and store such vehicle in any public storage garage or rental parking grounds or any facility of the person providing the towing services.
- (e) **Towing and Storage Charges.** In addition to other penalties provided in this Chapter, the owner or operator of a vehicle so removed shall pay the actual cost of moving, towing and storage. If the vehicle is towed or stored by a private motor carrier, motor vehicle salvage dealer or licensed motor vehicle dealer, actual charges regularly paid for such services shall be paid. If the vehicle is stored in a public storage garage or rental facility, customary charges for such storage shall be paid. Upon payment, a receipt shall be issued to the owner of the vehicle for the towing or storage charge.

SEC. 10-1-41 INOPERABLE, WRECKED OR DISCARDED VEHICLES.

- (a) **Storage Prohibited.** No person owning or having custody of any partially dismantled, nonoperable, wrecked, junked or discarded motor vehicle shall allow such vehicle to remain on any public highway, parking lot or ramp longer than twenty-four (24) hours after notification thereof by the Police Department. Notification shall be accomplished by placing

in a conspicuous place on the vehicle and by mailing or serving upon the owner or occupant in charge of the premises a written notice setting forth briefly the applicable provisions of this Section and the date of the notice. Any vehicle so tagged which is not removed within twenty-four (24) hours after notice is declared to be a public nuisance and may be removed as provided in Section 10-1-40.

- (b) **Exemptions.** This Section shall not apply to a motor vehicle in an appropriate storage place or depository maintained in a lawful place and manner authorized by the City.

SEC. 10-1-42 THROUGH SEC. 10-1-49 RESERVED FOR FUTURE USE.

ARTICLE D

Miscellaneous Provisions

SEC. 10-1-50 DISTURBANCE OF THE PEACE WITH A MOTOR VEHICLE. (Ord. 92-29)
Ord. 96-24) (Ord. 2004-10)

- (a) **Noise created by excessive acceleration prohibited.** No driver of any vehicle, including motorcycles, all-terrain vehicles and bicycles, shall cause, by excessive and unnecessary acceleration, the tires of such vehicle or cycle to spin and emit loud noises or to unnecessarily throw stones or gravel; nor shall such driver cause to be made by excessive and unnecessary acceleration any loud noise as would disturb the public peace.
- (b) **Noise created by the use of engine compression brakes prohibited.** The use of engine compression braking systems is prohibited within the Cedarburg City limits, except in emergencies.
- (c) **Excessive radio and other noise prohibited.** Pursuant to Wis. Stats. 346.94(16), no person may operate or park, stop, or leave standing any vehicle, including motorcycles, all-terrain vehicles, and bicycles, while using a radio or other electronic sound amplification device that emits sound from the vehicle that is audible under normal conditions from a distance of Fifty (50) or more feet, unless the electric sound amplification device is being used to request assistance or warn against an unsafe condition.
- (d) **Exemptions.** Pursuant to Wis. Stats. 346.94(16), subsection (b) above does not apply to any of the following:
 - (1) The operator of an authorized emergency vehicle, including ambulances, police vehicles, fire department vehicles, and snow removal vehicles.
 - (2) The operator of a vehicle of a public utility.
 - (3) The operator of a vehicle that is being lawfully used for advertising purposes.
 - (4) The operator of a vehicle that is being used in a lawful city or community event or celebration, procession or assemblage.
 - (5) The activation of a theft alarm signal device.
- (e) Nothing in this section shall be read to limit or create exceptions to the noise prohibitions contained in Section 11-2-9 of the Code of Ordinances of the City of Cedarburg.
- (f) Enforcement shall be pursuant to Wis. Stats. 346.94(16) and 66.948.

SEC. 10-1-51 RAILROAD REGULATIONS.

- (a) **Speed Limits.** It shall be unlawful for any person, firm, or corporation to run any locomotive, engine, car or cars on any railroad or railway within the limits of the City of Cedarburg at the rate of speed higher than fifteen (15) miles per hour.
- (b) **Obstructing Streets.** It shall be unlawful to stop and leave standing any railroad train, locomotive, or car upon or across any street crossing, causing the obstruction of public travel thereon, for a longer period of time than five (5) minutes. It shall be unlawful to obstruct any

street crossing in the City of Cedarburg for a continuous period of more than five (5) minutes by the operation of more than one (1) train or locomotive over the same crossing.

SEC. 10-1-52 PEDESTRIAN REGULATIONS.

- (a) **Obedience to Traffic Control Devices.** No person shall fail to obey the instructions of any Uniform Traffic Control Device when traveling as a pedestrian on any highway within the City of Cedarburg unless otherwise directed by a law enforcement officer.
- (b) **Crossing at Crosswalks.** No pedestrian shall cross at a crosswalk except on the right half thereof whenever practicable. Where sidewalks are provided, no pedestrian shall walk along and upon an adjacent roadway except when the sidewalk is visibly unsafe, obstructed or closed to public travel.

SEC. 10-1-53 MOTOR VEHICLES ON PEDESTRIAN WAYS AND OVER PASSES.

No person shall operate or park any motor vehicle on any pedestrian way or pedestrian overpass within the City of Cedarburg except municipal or county maintenance vehicles.

SEC. 10-1-54 SCHOOL CROSSING GUARDS AND BUSES. (Ord. 2000-39)

- (a) **School Crossing Guards.** Pursuant to Sec. 349.215, Wis. Stats., those adult persons hired by and acting as School Crossing Guards shall have the authority to stop vehicular traffic and to keep it stopped as long as necessary at their respective school crossings for the purpose of protection of persons who are crossing a highway in the vicinity of a school. (Ord. 2007-11)
- (b) **School Buses.**
 - (1) All school buses may use their flashing red warning lights and stop arms while loading or unloading pupils or other authorized passengers upon all streets, highways and roadways in the City.
 - (2) All school bus operators shall bring their vehicle to the far right-hand side of the street, highway or roadway when loading or unloading pupils or other authorized passengers within the City.

State Law Reference: Sec. 349.215, Wis. Stats.

SEC. 10-1-55 DRIVING OVER CURBING OR SAFETY ISLANDS PROHIBITED.

- (a) **Driving Over Curbing Prohibited.** It shall be unlawful for any motor vehicle to be driven or backed over any curbing in the City of Cedarburg.
- (b) **Driving Over Safety Zones or Islands Prohibited.** Whenever safety zones or safety islands are marked in accordance with the Wisconsin Uniform Traffic Control Device Manual, no operator of a vehicle shall at any time drive through or over a safety zone or

safety Island.

SEC. 10-1-56 MISCELLANEOUS LANE AND TURN CONTROLS.

The City Engineer, in cooperation with the Chief of Police, is authorized, when in his judgment the safety of the situation requires, to place Official Traffic Control Devices within or adjacent to intersections directing that a different course from that specified in Section 346.31, Wis. Stats., be traveled by vehicles turning at the intersection and to mark lanes for traffic designating separate lanes for slow moving traffic or for traffic moving in a particular direction.

SEC. 10-1-57 BARRIERS ACROSS STREETS FOR PLAY PURPOSES.

- (a) The following streets may be set aside during the period indicated for the safety of children in coasting or other play activities:
 - (1) Hamilton Road between Washington Avenue and Hilgen Avenue.
- (b) No street may be set aside pursuant to Subsection (a) if that portion of the street is part of any federal, state or county trunk highway system.
- (c) Such barricades, lights or warning signs as the Council directs shall be erected and maintained during the periods that such streets are set aside. The barricades shall be erected so as to accommodate access of residents along such streets to their homes to the greatest extent possible, consistent with protecting the safety of the children.

SEC. 10-1-58 AND SEC. 10-1-59 RESERVED FOR FUTURE USE.

ARTICLE E

Enforcement and Penalties

SEC. 10-1-60 PENALTIES.

- (a) **Forfeiture Penalty.** The penalty for violation of any provision of this Chapter shall be a forfeiture as hereafter provided, together with court costs and fees prescribed by Sections 814.63(1) and (2) or 814.65(1), Wis. Stats., the penalty assessment for moving traffic violations and the driver improvement surcharge imposed by Sections 165.87 and 346.655, Wis. Stats., where applicable. Payment of the judgment and applicable court costs, fees, assessments and surcharges may be suspended by the sentencing court for not more than sixty (60) days. Any person eighteen (18) years of age or older who shall fail to pay the amount of the forfeiture, court costs, any penalty assessment or driver surcharge or other penalty imposed for violation of any provision of this Chapter may, upon order of the court entering judgment therefor and having jurisdiction of the case, be imprisoned until such forfeiture, costs and assessment are paid, but not exceeding ninety (90) days.
- (b) **Other Sanctions.**
- (1) By Court. Nothing herein shall preclude or affect the power of the sentencing court to exercise additional authorities granted by the Wisconsin Statutes to suspend or revoke the operating privileges of the defendant, order the defendant to submit to assessment and rehabilitation programs or to attend traffic safety school in addition to payment of a monetary penalty or in lieu or imprisonment.
- (2) By Municipality. No person who has been convicted of a violation of any provision of this Chapter shall be issued a license or permit by the City Clerk, except dog license, until the forfeiture imposed for such violation and any penalty assessment, court costs and fees or surcharge is paid.
- (c) **Forfeitures For Violation of Uniform Moving Traffic Regulations.** Forfeitures for violations of any moving traffic regulation set forth in the Wisconsin Statutes adopted by reference in Section 10-1-1 shall conform to the forfeiture penalty permitted to be imposed for violations of the comparable Wisconsin Statute, any variations or increases for subsequent offenses; provided, however, that this Subsection shall not be construed to permit prosecution under this Chapter for any offense described in Chapters 341 to 348, Wis. Stats., for which an imprisonment penalty or fine may be imposed upon the defendant.
- (d) **Forfeitures For Parking Violations.**
- (1) Forfeitures for Uniform Statewide Parking. Stopping and Standing Offenses. Minimum and maximum forfeiture for violation of parking violations adopted by reference in Section 10-1-1 as described in Chapters 341 to 348, Wis. Stats., may be as found in the current edition of the Revised Uniform State Traffic Deposit Schedule or may be as provided in Subsection (d)(2).
- (2) Penalty for Winter Parking Violations. The penalty for winter parking violations not included under Subsection (d)(1) above may be a forfeiture of Eleven Dollars

(\$11.00) when paid within five (5) days of the issuance of the citation, Twenty-one Dollars (\$21.00) when paid after five (5) days but before the end of the fifteenth (15th) day after the issuance of the citation, Thirty-one Dollars (\$31.00) when paid after fifteen (15) days but before the end of the twenty-eighth (28th) day after the issuance of the citation, and Forty-one Dollars (\$41.00) when paid after the twenty-eighth (28th) day after the issuance of the citation, or may be as found in the current edition of the revised Uniform State Traffic Deposit Schedule. (Ord. 92-06) (Ord. 92-54) (Ord. 2006-39)(Ord. 2011-28)

- (3) **Penalty for Other Parking Violations.** The penalty for all other parking violations not included under Subsection (d)(1) or (2) above may be a forfeiture of Twenty Dollars (\$20.00) when paid within five (5) days of the issuance of the citation, Thirty Dollars (\$30.00) when paid after five (5) days but before the end of the fifteenth (15th) day after the issuance of the citation. Forty Dollars (\$40.00) when paid after fifteen (15) days but before the end of the twenty-eighth (28th) day after the issuance of the citation, and Fifty Dollars (\$50.00) when paid after the twenty-eighth (28th) day after the issuance of the citation, or may be as found in the current edition of the revised Uniform State Traffic Deposit Schedule. (Ord. 2006-39)
- (e) **Other Violations.** Any person who shall violate any provision of this Chapter for which a penalty is not otherwise established by this Section shall be subject to a forfeiture of not less than Twenty Dollars (\$20.00) nor more than Two Hundred Dollars (\$200.00).

SEC. 10-1-61 ENFORCEMENT.

- (a) **Enforcement Procedures.**
- (1) How Enforced. This Chapter shall be enforced in accordance with the applicable provisions of the Wisconsin Statutes and this Section.
 - (2) Applicable Court Procedures. Except where otherwise specifically provided by the laws of the State of Wisconsin or this Code, the traffic regulations in this Code shall be enforced in the County Circuit Court.
- (b) **Citations.**
- (1) Uniform Citation and Complaint. The Wisconsin Uniform Traffic Citation and Complaint described and defined in the Wisconsin Statutes may be used for enforcement of all provisions of this Chapter including those provisions which describe or define parking violations contained in Section 10-1-60(d)(1) and (2), except violations of Sections 346.71 through 346.73, Wis. Stats. Violations of Sections 346.71 through 346.73, Wis. Stats., shall be reported to the District Attorney and the Wisconsin Uniform Traffic Citation shall not be used in such cases except upon written request of the District Attorney.
 - (2) Parking Citations.
 - a. The Chief of Police shall recommend a citation for use in enforcing the parking traffic offenses in this Chapter. Such citation may be used for enforcement of parking regulations as defined and described in Section

10-1-60(d)(2) of this Chapter. The citation for parking violations shall contain a notice that the person cited may discharge the forfeiture for violation of a parking regulation and penalty thereof by complying with Subsection (c)(2) of this Section. Parking citations may be issued by law enforcement officers or by civilian employees of the Police Department.

- b. Citations issued for all parking violations under this title shall conform to Sec. 345.28, Wis. Stats., and any future amendments, revisions or modifications thereof. Direct payment of the applicable minimum forfeiture may be made to the Cedarburg Police Department within twenty-eight (28) days of the issuance of said citation in lieu of a court appearance. The citation shall specify the amounts of the applicable forfeitures as provided in this title.
- c. No officer or City authority shall be personally or officially responsible for the payment of any dishonored check received relative to the payment of any forfeiture.
- d. If the alleged violator fails to pay the amount of the forfeiture as provided herein or to appear in court within twenty-eight (28) days after the issuance of the parking citation, the Chief of Police may take any or all of the actions authorized under Sec. 345.28, Wis. Stats.

(c) **Deposits and Stipulations.**

(1) Uniform Traffic Offenses.

- a. **Who May Make.** Persons arrested or cited for violation of moving traffic offenses created by this Chapter shall be permitted to make deposits and stipulations of no contest or released by the arresting officer in accordance with the applicable provisions of the Wisconsin Statutes. Stipulations of guilt or no contest may be made by persons arrested for violations of this Chapter in accordance with Section 66.12(1)(b) of the Wisconsin Statutes whenever the provisions of Section 345.27 of the Wisconsin Statutes are inapplicable to such violations. Stipulations shall conform to the form contained in the uniform traffic citation and complaint under Section 345.11 of the Wisconsin Statutes. Stipulations may be accepted by the Police Department.
- b. **Delivery or Mailing of Deposit and Stipulation.** Any person stipulating guilt or no contest under the preceding Subsection must make the deposit required under Section 345.26 of the Wisconsin Statutes or, if the deposit is not established under such Statute, shall deposit a forfeited penalty as provided in the schedule established by the Chief of Police and approved by the Common Council. Deposits may be brought or mailed in lieu of court appearance to the Police Department or placed in marked depositories as directed by the Officer.
- c. **Receipt Required.** Every officer accepting a stipulation under the provisions of this Chapter shall comply with the provisions of Sections 343.27, 343.28, 345.26(1)(a) and 345.27(2) of the Wisconsin Statutes 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 of the Wisconsin Statutes. The official or person receiving the deposit shall furnish and deliver or mail an original receipt for such deposit to the alleged violator and shall deliver the deposit and stipulation, and a copy of the receipt to the City Treasurer.

(2) Non-moving Traffic Offenses.

- a. Direct Payment of Penalty Permitted. Persons cited (summons not issued) for violation of non-moving traffic offenses described and defined in this Chapter may discharge the penalty thereof and avoid court prosecution by mailing or forwarding within seventy-two (72) hours of the issuance of the citation to the Police Department the minimum forfeiture specified for the violation. The issuing officer shall specify thereon the amount of the applicable forfeiture as provided in this Chapter.
- b. Registration Suspension. If the alleged violator does not pay the forfeiture or appear in court in response to the citation for a nonmoving traffic violation on the date specified in the citation or, if no date is specified on the citation, within twenty-eight (28) days after the citation is issued, the City may ask the Wisconsin Department of Transportation to suspend the registration of the vehicle involved or refuse registration of any vehicle owned by the person pursuant to the provisions of Sec. 345.28(4), Wis. Stats., and Subsection (c)(3) below.
- c. Deposits Returned to City Treasury. The Police Department receiving deposits for non-moving traffic violations under this Subsection shall pay over such deposits to the City Treasurer. Such payment shall be accompanied by an itemized statement for each deposit of the offense charged and the name of the depositor.
- d. Bond. Any officer authorized to accept deposits under Sec. 345.26, Wis. Stats., or this Section, shall qualify by taking the oath prescribed by Sec. 19.01, Wis. Stats.

(3) Registration Suspension Program.

- a. The City shall participate in the Wisconsin Department of Transportation Traffic Violation and Registration Program as set forth in Sec. 345.28, Wis. Stats., and Wis. Adm. Code Trans. 128 and all amendments or changes thereto.
- b. The Police Department is hereby designated as a delegated authority for purposes of Sections 85.13 and 345.28, Wis. Stats., and Wis. Adm. Code Trans. 128. The Police Department is authorized to perform, on behalf of the City, all functions required of a local authority under said Statutes and Code including, but not limited to:
 1. Preparing and completing all forms and notices, notifying the Wisconsin Department of Transportation of unpaid citations for

- non-moving traffic violations;
2. Specifying whether the registration of vehicles involved in unpaid citations for non-moving traffic violations should be suspended and/or whether registration should be refused for any vehicle owned by persons with unpaid citations for non-moving traffic violations;
 3. Determining the method by which the City will pay the Wisconsin Department of Transportation for administration of the program; establishing the effective date for participation;
 4. And taking such other action as is necessary to institute and continue participation in the Wisconsin Department of Transportation Traffic Violation and Registration Program.
- c. The Chief of Police is hereby authorized to assign a member of the Police Department to perform such acts as are necessary to effectuate this Subsection.
 - d. In addition to all applicable fines and court costs, the cost of using the Wisconsin Department of Transportation Traffic Violation and Registration Program shall be assessed as permitted by Sec. 345.28(4)(d), Wis. Stats. The Police Department may refuse to notify the Wisconsin Department of Transportation of payment on a citation until all applicable fines and costs, including costs assessed under the preceding sentence, are paid.
 - e. This Subsection shall not be interpreted as requiring that all unpaid citations for non-moving traffic violations be processed through the Wisconsin Department of Transportation Traffic Violation and Registration Program. The City's participation in such program shall be in addition to any and all other means legally available to enforce such citations.

State Law Reference: Sec. 345.28, Wis. Stats.; Chapter Trans. 128, Wis. Adm. Code.

CHAPTER 2

Bicycles

10-2-1	Definitions
10-2-2	Manner of Operation Restricted
10-2-3	Lighting and Other Equipment
10-2-4	Parking a Bicycle
10-2-5	Rules of the Road
10-2-6	Registration of Bicycles; Rules of Operation
10-2-7	Skateboards
10-2-8	In-line Skates
10-2-9	Penalties

SEC. 10-2-1 DEFINITIONS.

As used in this Chapter:

- (a) **Bicycle** means every device propelled by the feet acting upon pedals and having wheels, any two (2) of which are not less than fourteen (14) inches in diameter.
- (b) **Bicycles' Lane** means that portion of a roadway set aside for exclusive use of bicycles and so designated by appropriate signs and markings by the responsible body.
- (c) **Bike Route** means any bicycle lane, bicycle way or highway which has been duly designated by the responsible governing body and identified by appropriate signs and markings.
- (d) **Bicycle Way** means any path or sidewalk, or portion thereof, designated for the use of bicycles by the responsible governing body.
- (e) **Carrier** means any device attached to a bicycle designed for carrying articles.
- (f) **Identification Tag** means a metal plate or sticker indicating that a bicycle is registered.
- (g) **In-Line Skates** means skates with wheels arranged singly in a tandem line rather than in pairs. (Ord. 94-33)
- (h) **Right-of-Way** means the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.
- (i) **Roller Device** means roller skates irrespective of the configuration of the wheels, roller blades, skate boards, scooters, unicycles or any other wheel device or apparatus whether or not affixed or strapped to the body or upon which the operator rests or rides, which is propelled by power from the operator of such device, excepting bicycles.

SEC. 10-2-2 MANNER OF OPERATION RESTRICTED.

No bicycle shall be allowed to proceed in any street in the City by inertia or momentum with the feet of the rider removed from the bicycle pedals. No rider of a bicycle shall remove both hands from the

handlebars or practice any trick or fancy riding in any street in the City nor shall any bicycle rider carry or ride any other person so that two (2) persons are on the bicycle at one time, unless a seat is provided for a second person.

SEC. 10-2-3 LIGHTING AND OTHER EQUIPMENT.

No person shall operate a bicycle upon a highway unless equipped as required in Sec. 347.81, Wis. Stats.

SEC. 10-2-4 PARKING A BICYCLE.

No person shall leave a bicycle at such a place or in such a way as to create a hazard to pedestrians, automobile operators or to anyone else. Bicycles shall be parked either upon the roadway against the curb, in bicycle racks or, if on the sidewalk, in such a manner as to afford the least obstruction to pedestrian traffic, and not in such a manner as to obstruct the ingress and egress to buildings used by the public. If there is no bicycle rack or other facility intended to be used for the parking of bicycles in the vicinity, the operator may park a bicycle on the sidewalk in an upright position parallel to and within twenty-four (24) inches of the curb.

SEC. 10-2-5 RULES OF THE ROAD.

The provisions of Chs. 346 and 347, Wis. Stats., and applicable City Ordinances shall govern the operation of bicycles where appropriate.

SEC. 10-2-6 REGISTRATION OF BICYCLES; RULES OF OPERATION. (Ord. 2001-34)

- (a) **Registration Required.** No person who resides in the City of Cedarburg shall ride or propel a bicycle upon any public path set aside for the exclusive use of bicycles unless such bicycle has been registered and a registration sticker attached in a conspicuous place to the rear of the frame. No person who resides in the City of Cedarburg shall ride or propel a bicycle upon any of the streets or public highways unless such bicycle has been registered and a registration sticker attached thereto.
- (b) **Issuance of License.** Application for license shall be made to the Police Department upon blanks provided containing the name, date of birth and address of the owner, together with a complete description of the bicycle. Upon proper application and payment of the appropriate license fee, the Police Department shall issue a bicycle registration sticker. The sticker shall be issued beginning January 1, 2002 and shall be effective for as long as the bicycle is owned by the individual. The fee shall be Five dollars (\$5.00). The Police Department shall keep a record of the date of the issuance of each sticker, to whom issued, and the number thereof. Registration shall be serially numbered and kept on file at the Police Department.
- (c) **License Sticker.** The sticker fee to be paid for each bicycle shall be as stated in Subsection (b). Said fee shall be paid in advance at the time of the issuance of the sticker by the Police

Department. All sticker fees shall be paid into general funds of the City.

(d) **Rules of Operation** Every license issued hereunder shall be subject to the following conditions:

- (1) Every person propelling or riding a bicycle upon a public roadway shall be subject to the provisions of all Ordinances and state laws applicable to the operator of any vehicle, except those provisions with reference to equipment of motor vehicles and except those provisions which, by their nature, would have no application.
- (2) No person may operate a bicycle upon a highway, bicycle lane or bicycle way during the hours of darkness unless such bicycle is equipped with or the operator is wearing a lamp emitting a white light visible from a distance of at least five hundred (500) feet to the front of such bicycle. Such bicycle shall also be equipped with a red reflector that has a diameter of at least two (2) inches of surface area on the rear so mounted and maintained as to be visible from all distances from fifty (50) to five hundred (500) feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred (500) feet to the rear may be used in addition to but not in lieu of the red reflector.
- (3) No person may operate a bicycle upon a highway, bicycle lane or bicycle way unless all braking equipment with which the bicycle was originally provided is in good working order. No person may operate a bicycle equipped with a coaster break upon a highway, bicycle lane or bicycle way unless such brake will enable the operator to make the rear wheel skid on dry, level, clean pavement.
- (4) Every bicycle, when operated upon a street or highway, shall be equipped with a horn or bell in good working order capable of emitting sound audible under normal conditions for a distance of not less than one hundred (100) feet and no bicycle shall be equipped with a siren or whistle or shall use any such bell or horn otherwise than as a reasonable warning to other users of the street or highway.
- (5) No such bicycle shall be operated upon sidewalks between Spring Street and Sheboygan Road along Washington Avenue. (Ord. 2001-20)
- (6) Every bicycle, when operated on a highway, shall be kept as close to the right-hand curb as practicable.
- (7) Every person, when operating a bicycle upon a highway, may ride two (2) abreast if such operation does not impede the normal and reasonable movement of traffic. Bicycle operators riding two (2) abreast on a 2-lane or more roadway shall ride within a single lane.
- (8) No person riding upon a bicycle shall cling or attach himself or his bicycle to any other moving vehicle upon a street or highway.
- (9) The operator of a bicycle shall not carry another person on the bicycle when operating such bicycle upon any highway in the City, nor shall the operator of any such bicycle tow or draw any coaster, sled, person on roller skates, toy vehicle and other similar vehicle on a public highway.
- (10) No person operating a bicycle upon a public highway shall participate in any race or

- speed or endurance contest with any other bicycle or vehicle. No person shall operate a bicycle at a speed greater than is reasonable and prudent under existing conditions.
- (11) No rider of a bicycle shall remove both hands from the handlebars or feet from the pedals or practice any acrobatic or fancy riding on any street.
 - (12) Every person operating a bicycle upon a street or highway shall stop for all arterial stop signs and for traffic signals unless otherwise directed by a police officer.
 - (13) No bicycle operator shall suddenly stop, slow down or turn without giving an arm signal required by state law for the operator of motor vehicles.
 - (14) Wherever authorized signs are erected for the control of motor vehicle traffic, the bicycle operator shall obey such signs except when regulations applicable to pedestrians.
 - (15) Every person operating a bicycle emerging from an alley, driveway or building shall stop prior to riding on or across a sidewalk or roadway. Such operator shall yield the right-of-way in all cases to all pedestrians approaching on said sidewalk and to all vehicles approaching on said roadway.
- (e) **Suspension.** The Chief of Police may suspend the registration and remove the license plate from any bicycle operated contrary to any state law or City ordinance, such suspension and removal to continue for a period not to exceed thirty (30) days. Such suspension and removal shall be in addition to other penalties provided hereunder. Registration cards shall be shown to any police officer on demand or when ordered to appear for any violation of this Section.
 - (f) **Responsibility of Guardian.** No parent or guardian of any child shall authorize or knowingly permit such child to violate any of the provisions of Sections 346.78 to 346.81 of the Wisconsin Statutes.
 - (g) **Removal and Alteration of Identification Tags**
 - (1) Removal Prohibited. No person shall remove an identification tag from a bicycle during the period for which issued except upon a transfer of ownership or when the bicycle is dismantled and no longer operated upon any highway within the City.
 - (2) Alteration Prohibited. No person shall alter or counterfeit any identification tag.

SEC 10-2-7 SKATEBOARDS.

No person may ride or otherwise use a skateboard upon sidewalks in the central business district, in outlying business districts and pedestrian paths.

SEC. 10-2-8 IN-LINE SKATES; GENERAL REGULATIONS FOR USE OF (Ord. 94-33)

- (a) State laws applicable: Every person using in-line skates upon public roadway shall be subject to the provisions of all ordinances and State laws applicable to the operator of any vehicle, except those provisions with reference to equipment of vehicle and except those provisions which by their nature would have no application.
- (b) Sidewalks or walkways: Every person using in-line skates upon a sidewalk or

pedestrian walkway shall yield the right-of-way to any pedestrian and shall exercise due care when passing any other persons proceeding in the same direction. No in-line skater shall use the sidewalks in the central business district, outlying business districts and pedestrian paths.

- (c) In-line skaters to stay on the right side of roadway: Every person using in-line skates on a public roadway shall keep as close to the right hand curb as practicable. In-line skaters are prohibited to use the roadway on all state and county trunk highways.
- (d) Clinging to moving vehicles prohibited: It shall be unlawful for any person using in-line skates to cling to or attach to any bicycle or other moving vehicle upon a public roadway.
- (e) Observance of traffic regulations: Every person using in-line skates shall stop for all arterial and automatic traffic signals.
- (f) Yielding to Traffic: The operator of a vehicle shall yield the right-of-way to a user of in-line skates in the same manner as for bicyclists and pedestrians under Section 346.23, 346.24, 346.37 and 346.38 of the Wisconsin Statutes. Every person when using in-line skates shall, upon entering a public roadway yield the right-of-way to motor vehicles, except that a person using in-line skates shall be subject to the same regulations as bicyclists and pedestrians under Sections 346.23, 346.24, 346.37 and 346.38 of the Wisconsin Statutes.
- (h) Every person using in-line skates upon a one-way street shall proceed in the direction of the one-way traffic.
- (i) Every person using in-line skates upon a public roadway must during hours of darkness wear or have attached to themselves a light or reflective material that is visible for a distance of five hundred (500) feet when directly in front of lawful upper beams of headlamps on a motor vehicle.
- (j) No person using in-line skates upon a public roadway shall participate in any game, race, or speed or endurance contest with another in-line skater, bicycle or vehicle. No person shall use their in-line skates at a speed greater than is reasonable and prudent under existing conditions.

SEC. 10-2-9 PENALTIES. (Ord. 94-33)

- (a) Any person sixteen (16) years of age or older who shall violate any provision of this Chapter may be issued a Uniform Traffic Citation, and upon conviction thereof may be required to forfeit not more than Two Hundred Dollars (\$200.00) together with the costs of prosecution, and in default of such payment shall be imprisoned in the county jail until payment is made but not exceeding six (6) months.
- (b) Any person fourteen (14) years of age through fifteen (15) years of age who shall violate any provisions of this Chapter may be issued a citation and be subject to the penalties provided by the Deposit Schedule and, upon conviction thereof, may be required to forfeit not more than Twenty-five Dollars (\$25.00), together with the cost of the prosecution and, in default of such payment, the Court may suspend the child's operating privileges, as defined in Sec.

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- 340.01, Wis. Stats., for not less than thirty (30) days nor more than ninety (90) days.
- (c) Any person under fourteen (14) years of age who shall violate any provision of this chapter may be issued a special Violation Warning Notice along with the following additional actions:
- (1) First offense in one (1) year: a warning letter sent to the parent or guardian requiring their signature and return of the warning notice to the Police Department.
 - (2) Second offense in the same year: a warning letter mailed to parent or guardian.
 - (3) Third offense in the same year: a mandatory parent-child-police conference.
 - (4) Fourth and subsequent offense in the same year: mandatory referral to Ozaukee County Juvenile Court.
- (d) Any parent or guardian of any child who authorizes or knowingly permits such child to violate any of the provisions of this Chapter may be subject to the provisions of Sections 346.77 and 346.82(1), Wis. Stats.

CHAPTER 3

Snowmobiles

- 10-3-1 State Snowmobile Laws Adopted
- 10-3-2 Applicability of Traffic Regulations to Snowmobiles
- 10-3-3 Speed; Hours of Operation; Equipment
- 10-3-4 Unattended Vehicles
- 10-3-5 Operation on Sidewalks Prohibited
- 10-3-6 Snowmobile and Other Off-Highway Vehicle Operation Restricted
- 10-3-7 Restrictions on Operators
- 10-3-8 Accidents and Accident Reports
- 10-3-9 Snowmobile Routes and Trails Designated
- 10-3-10 Penalty
- 10-3-11 Enforcement

SEC. 10-3-1 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 Chapter as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required or prohibited by this Chapter. Any future amendments, revisions or modifications of the Statutes incorporated herein by reference are intended to be made part of this Code.

- 350.01 Definitions.
- 350.02 Operation of Snowmobiles on or in the Vicinity of Highways.
- 350.03 Right-of-way.
- 350.04 Snowmobile Races, Derbies and Routes.
- 350.045 Public Utility Exemption.
- 350.047 Local Utility Exemption.
- 350.05 Operation by Youthful Operators Restricted.
- 350.055 Safety Certification Program Established.
- 350.06 Firearms and Bows.
- 350.07 Driving Animals.
- 350.08 Owner Permitting Operation.
- 350.09 Head Lamps, Tail Lamps and Brakes, Etc.
- 350.10 Miscellaneous Provisions for Snowmobile Operation.
- 350.12 Registration of Snowmobiles.
- 350.125 Completion of Application for Registration by Snowmobile Dealers.
- 350.13 Uniform Trail Signs and Standards.
- 350.15 Accidents and Accident Reports.
- 350.17 Enforcement.

- 350.18 Local Ordinances.
- 350.19 Liability of Landowners.
- 350.99 Parties to a Violation.

SEC. 10-3-2 APPLICABILITY OF TRAFFIC REGULATIONS TO SNOWMOBILES.

No person shall operate a snowmobile upon any street, highway or alley within the City of Cedarburg in violation of the traffic regulation provisions of 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, 346.92(1) and 346.94(1), (6), (6m) and (9), Wis. Stats.

SEC. 10-3-3 SPEED; HOURS OF OPERATION; EQUIPMENT.

- (a) **Speed.** No person shall operate a snowmobile within the City or on any trail designated in Section 10-3-6 of this Chapter at a speed in excess of fifteen (15) miles per hour.
- (b) **Hours of Operation Restricted.** Except on a designated trail, no person shall operate a snowmobile or other off-highway vehicle anywhere within the City between the hours of 10:00 p.m. and 7:00 a.m., except for returning home via the most direct route.
- (c) **Restriction on Equipment.** No snowmobile or other vehicle operating on the snowmobile route shall be allowed if it has an expansion chamber or any muffler other than the type and size provided by the manufacturer. Each snowmobile must display a lighted headlight and taillight at all times and said lights must conform to the requirements of Section 350.09 of the Wisconsin Statutes.

SEC. 10-3-4 UNATTENDED VEHICLES.

No person shall leave or allow a snowmobile owned or operated by him to remain unattended on any public highway or public property while the motor is running or with the starting key left in the ignition.

SEC. 10-3-5 OPERATION ON SIDEWALKS PROHIBITED.

No person shall operate a snowmobile upon any sidewalk, pedestrian way or upon the area between the sidewalk and the curb line of any street in the City, except as specifically authorized by Sec. 10-3-6 or for the purpose of crossing to obtain immediate access to an authorized area of operation.

SEC. 10-3-6 SNOWMOBILE AND OTHER OFF-HIGHWAY VEHICLE OPERATION RESTRICTED.

- (a) **Operation on Private Property.** Except as permitted by this Code of Ordinances, it shall be unlawful to operate any snowmobile or any other motor-driven craft or vehicle principally

manufactured for off-highway use on the City streets, alleys, parks, parking lots or on any public lands or private lands or parking lots held open to the public. The operator shall at all times have the express consent of the owner before operation of such craft or vehicle on private property not owned or controlled by him.

- (b) **Permitting Operation by Improper Persons Prohibited.** No owner or person having charge or control of a snowmobile shall authorize or permit any person to operate such snowmobile who is not permitted under state law to operate such or who is under the influence of an intoxicant or a dangerous narcotic drug.
- (c) **Operation While Under Influence Prohibited.** Sec. 346.63, Wis. Stats., shall apply to the operation of a snowmobile any place within the City.
- (d) **Operation in Parks.** No person shall drive a snowmobile in any park within the City except upon designated snowmobile trails as shall be designated by the Common Council.
- (e) **Written Consent of Owner Required.** The consent required under Sec. 350.10(6), (11), (12) and (13), Wis. Stats., and in Subsection (a) above shall be written consent dated and limited to the year in which the consent is given. If the property is owned or leased by more than one (1) person, the consent of each must be obtained.

SEC. 10-3-7 RESTRICTIONS ON OPERATORS.

- (a) No person under the age of twelve (12) years may operate a snowmobile. No person over the age of twelve (12) years but under the age of sixteen (16) years may operate a snowmobile unless he holds a valid snowmobile safety certificate or is accompanied by a person over eighteen (18) years of age or by a person over fourteen (14) years of age having a snowmobile safety certificate issued by the Department of Natural Resources.
- (b) No person shall operate any snowmobile upon any street, alley or other public right-of-way in the City unless such person shall have a valid motor vehicle operator's license or unless such operator is accompanied by a person who has a valid motor vehicle operator's license and who is occupying a seat on the vehicle.

SEC. 10-3-8 ACCIDENTS AND ACCIDENT REPORTS.

- (a) If he can do so without serious danger to himself or to persons on board, the operator of a snowmobile involved in a snowmobile accident within the City shall stop his snowmobile and shall render to other persons affected thereby such assistance as may be practicable and necessary to save them from or minimize any danger caused by the accident and shall give his name and address and identification of his snowmobile to any person injured and to the owner of any damaged in the accident.
- (b) If the snowmobile accident results in death or injury to any person or total property damage in excess of Two Hundred Dollars (\$200.00), every operator of a snowmobile involved in such accident shall, as soon as possible, notify the Police Department of the accident and shall, within ten (10) days after the accident, file a written report thereof with the department on forms prescribed by it.

- (c) If the operator of a snowmobile is physically incapable of making the report required by this Section and there was another occupant in the snowmobile at the time of the accident capable of making the report, he shall make such report.
- (d) "Snowmobile accident" means a collision, accident or other casualty involving a snowmobile.

SEC. 10-3-9 SNOWMOBILE ROUTES AND TRAILS DESIGNATED.

- (a) **Route Designated.** Except as provided in Sections 350.02 and 350.045 of the Wisconsin Statutes, 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, golf course or any other public municipal property in the City of Cedarburg except upon those snowmobile routes and trails designated and shown in that certain map entitled "Snowmobile Routes and Trails in the City of Cedarburg," a copy of which is on file in the offices of the City Clerk and Police Department and which is incorporated herein by reference as though fully set forth and except for purposes of testing and maintaining snowmobiles and moving them to trailers for purposes of transport. (Ord. 90-44)
- (b) **Snowmobiling in Public Parks.** No person shall operate an all-terrain vehicle or snowmobile on any land or waters within boundaries designated as City skating rinks and/or City parks, and no person shall load or unload any such vehicle in any City park.
- (c) **Trail Markers.** 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. The Chief of Police shall have the power to declare the stated snowmobile routes and trails either open or closed.
- (d) **Markers to be Obeyed** No person shall fail to obey any route or trail sign, marker or limit erected in accordance with this Section.

Cross Reference: Section 10-1-54.

SEC. 10-3-10 PENALTY.

Any person who shall violate any provision of this chapter shall, upon conviction thereof, forfeit not more than Five Hundred Dollars (\$500.00), together with the costs of prosecution, and, in default of payment thereof, may be imprisoned in the county jail for not exceeding ten (10) 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 and further provided that the penalty and forfeiture for parking violations on highways shall be the amount applicable to such violations by owners or operators of motor vehicles under Title 10, Chapter 1, of this Code of Ordinances.

SEC. 10-3-11 ENFORCEMENT.

- (a) **Uniform Citation for Highway Violations.** The uniform traffic citation promulgated under

Sec. 345.11, Wis. Stats., shall be used for violations of this Chapter relating to highway use except as herein provided.

- (b) **Parking Violations.** The special traffic citation described and defined in Title 10, Chapter 1, of this Code of Ordinances shall be used for enforcement of violations of rules of the road relating to parking of vehicles adopted by reference in Section 10-3-1 of this Chapter.
- (c) **Other Violations.** All violations of this Chapter not described in Subsections (a) or (b) shall be enforced in accordance with Sections 66.12 and 66.114 of the Wisconsin Statutes. Stipulations of guilt or no contest may be made as provided in Sec. 66.12(1)(b), Wis. Stats., in substantially the form provided in the uniform traffic citation within five (5) days of the date of the citation for such violation. Bail deposits may also be made under Sec. 66.12, Wis. Stats. Such deposits shall include a Three Dollars (\$3.00) Clerk's fee and costs of prosecutions.
- (d) **Police Department to Receive Stipulations and Penalties.** Stipulations, forfeited penalties and deposits for obtaining release from arrest authorized under this Chapter may be accepted at the Police Department offices by the Chief or officer designated by him. The officer authorized to accept penalties and deposits shall be bonded and such bond shall be filed with the City Clerk.
- (e) **Forfeited Penalties and Deposits.** Except as otherwise provided in Sec. 345.26, Wis. Stats., and the deposit schedule adopted by the State Board of County Judges, required forfeited penalties and deposits or bail not including costs or fees for violation of this chapter shall be as established by the schedule adopted by the Common Council.

CHAPTER 4

All-Terrain Vehicles and Off-Road Motor Vehicle Operation

- 10-4-1 State All-Terrain Vehicle Laws Adopted
- 10-4-2 Speed Limits
- 10-4-3 Penalties
- 10-4-4 Unauthorized Operation of Motor Vehicles on Public or Private Property

SEC. 10-4-1 STATE ALL TERRAIN VEHICLE LAWS ADOPTED.

The provisions describing and defining regulations with respect to all-terrain vehicles in the following enumerated Subsections of Sec. 23.33, Wis. Stats., and any future amendments or revisions, are hereby adopted by reference and made part of this Section as if fully set forth herein. Any acts required to be performed by the following Statutory Subsections or which are prohibited by such Statutory Subsections are required to be performed by this Section or are prohibited by this Section:

- 23.33(2) Registration
- 23.33(3) Rules of operation [including Subsections (a) through (i)]
- 23.33(4) Operation on or near highway [including Subsections (a) through (e)]
- 23.33(5)(a)(c) Age restrictions
- 23.33(6) Equipment requirements [including Subsections (a) through (e)]
- 23.33(7) Accidents [including Subsections (a) and (b)]
- 23.33(1) Definitions [including Subsections (a) through (n)]

SEC. 10-4-2 SPEED LIMITS. (Ord. 90-44)

Restrictions of All-Terrain Vehicle Operation. No person shall operate any all-terrain vehicle within the City of Cedarburg at a speed in excess of ten (10) miles per hour. All-terrain vehicles may only be operated within the City of Cedarburg for purposes of testing and maintaining same and moving them to trailers for purposes of transport.

SEC. 10-4-3 PENALTIES.

Violation of this Chapter shall be punishable by a forfeiture and enforced pursuant to Sections 10-3-10 and 10-3-11.

SEC. 10-4-4 UNAUTHORIZED OPERATION OF MOTOR VEHICLES ON PUBLIC OR PRIVATE PROPERTY.

(a) **Purpose.**

- (1) The unauthorized off-road operation of motor vehicles has resulted in serious damage to public and private lands including damage or destruction of vegetation, animal life and improvements to the lands; and
- (2) The unauthorized off-road operation of motor vehicles has resulted in the permanent scarring of land and an increase in both erosion and air pollution; and
- (3) The unauthorized off-road operation of motor vehicles has resulted in collisions and near collisions threatening the life and safety of the operators of such vehicles as well as of other persons; and
- (4) The unauthorized off-road operation of motor vehicles has resulted in a loss of the privacy, quietude and serenity to which the owners and users of land are rightfully entitled.

(b) **Definitions.** For purposes of this Section, the terms below shall be defined as follows:

- (1) Unauthorized shall mean without the express prior consent of the owner, lessee, manager or other person authorized to give consent by the owner or lessee of land. Authorization shall not be implied from a failure to post private or public land.
- (2) Off-Road shall mean any location which:
 - a. Is not a paved or maintained public street or alley; or
 - b. Is not used or maintained by the owner or lessee of land as a driveway, parking lot or other way for motor vehicles; or
 - c. Is a private trail for use only by the owner or his permittees for recreational or other vehicular use. Off-road shall not include any creekbed, riverbed or lake provided, however, that this Subsection shall not apply to snowmobiles or other vehicles being operated on the ice covering such creekbed, riverbed or lake.
- (3) Operation shall mean the physical manipulation or activation of any of the controls of a motor vehicle necessary to put it in motion.
- (4) Motor Vehicle shall mean, for purposes of this Section, any vehicle which is self-propelled and shall include but not be limited to automobiles, trucks, jeeps, vans, motorcycles, motorbikes, go-karts, motorized three-wheeled vehicles, all-terrain vehicles, mopeds, snowmobiles, dune buggies and tractors. Motor vehicle shall not mean any airplane, railroad train, boat, wheelchair or bicycle. A vehicle which would otherwise be defined as a motor vehicle under this Section shall not be so defined while:
 - a. It is being operated solely for the purpose of construction or maintenance of an improvement to land or solely for access to construction or maintenance sites provided such operation is by persons having legitimate business on such lands or sites;
 - b. It is being operated by or at the direction of public employees or utility company employees as part of their employment duties.
 - c. It is being operated by the holder of an easement or right of access on or over the land on which operation is occurring or the holder's employees or agents.

- (c) **Unauthorized Off-road Operation Prohibited.**
 - (1) The unauthorized off-road operation of a motor vehicle is prohibited.
 - (2) Except for authorized maintenance vehicles and snowmobiles or all-terrain vehicles operating in authorized areas pursuant to Sections 10-3-9 and 10-4-2, it shall be unlawful to operate any minibike, go-kart, all-terrain vehicle or any other motor-driven craft or vehicle principally manufactured for off-highway use on the City streets, alleys, parks, sidewalks, bikeways, parking lots or on any public lands or private lands or parking lots held open to the public. The operator shall at all times have the consent of the owner before operation of such craft or vehicle on private lands.
- (d) **Prohibited Use of Snowmobile Trails.** Except as provided in Section 10-4-2 and Subsection (b)(4) above, no person shall operate any motor vehicle other than a snowmobile on a snowmobile trail.

CHAPTER 5

Abandoned and Junked Vehicles

10-5-1	Abandoned Vehicles; Definitions
10-5-2	Removal and Impoundment of Vehicles
10-5-3	Removal, Storage, Notice or Reclaimer of Abandoned Vehicles
10-5-4	Disposal of Abandoned Vehicles
10-5-5	Report of Sale or Disposal
10-5-6	Owner Responsible for Impoundment and Disposal Costs
10-5-7	Conflict with Other Code Provisions
10-5-8	Junked Vehicles and Appliances on Private Property

SEC. 10-5-1 ABANDONED VEHICLES; DEFINITIONS.

- (a) **Abandonment of Vehicles Prohibited.** No person shall leave unattended any motor vehicle, trailer, semitrailer or mobile home on any public street or highway or private or public property in the City of Cedarburg for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. Whenever any such vehicle has been left unattended on any street or highway in the City of Cedarburg or upon private or public property without the permission of the property owner or other person charged with the lawful jurisdiction thereof for more than seventy-two (72) hours, the vehicle shall be deemed abandoned and constitutes a public nuisance. After notification to the owner pursuant to Subsection 10-5-3(b), any abandoned vehicle may be impounded until lawfully claimed or disposed of under Section 10-5-4.
- (b) **Definitions.** For purposes of this Chapter, the following definitions shall be applicable:
- (1) Vehicle shall mean a motor vehicle, trailer, semitrailer or mobile home, whether or not such vehicle is registered under Wisconsin Law.
 - (2) Unattended shall mean unmoved from its location with no obvious sign of continuous human use.
 - (3) Street shall mean any public highway or alley and shall mean the entire width between the boundary lines of any public way where any part thereof is open to the public for purposes of vehicular traffic.
- (c) **Presumptions.** For purposes of this Section, the following irrebuttable presumptions shall apply:
- (1) A vehicle shall be presumed unattended if it is found in the same position seventy-two (72) hours after issuance of a traffic ticket or citation or placement of the notice described in Section 10-5-3(b)(1) and if such traffic ticket or citation or notice remains placed upon the windshield during said seventy-two (72) hours.
 - (2) Any vehicle left unattended for more than seventy-two (72) hours on any public street or public ground or left unattended for more than seventy-two (72) hours on private property without the consent of the property owner is deemed abandoned and

constitutes a nuisance; provided, that the vehicle shall not be deemed abandoned under this Subsection if left unattended on private property outside of public view and is enclosed within a building, or if designated as not abandoned by the Chief of Police.

- (d) **Exceptions.** This Section shall not apply to a vehicle in an enclosed building or a vehicle stored on a premises licensed for storage of junk or junked vehicles and fully in compliance with City zoning regulations, or to a vehicle parked in a paid parking lot or space where the required fee has been paid.

SEC. 10-5-2 REMOVAL AND IMPOUNDMENT OF VEHICLES.

Any vehicle in violation of this Chapter shall be removed and impounded until lawfully claimed or disposed of under the provisions of Section 10-5-3.

SEC. 10-5-3 REMOVAL STORAGE, NOTICE OR RECLAIMER OF ABANDONED VEHICLES.

- (a) **Applicability.** The provisions of this Section shall apply to the removal, storage, reclaimer or disposal of abandoned vehicles as defined in Section 10-5-1.
- (b) **Removal.**
- (1) Notification of a violation hereunder and order for removal may be accomplished by the Police Department of the City of Cedarburg by placing a notice in a conspicuous place on the motor vehicle, setting forth briefly the applicable provisions of this Section and the date of the notice; in addition, written notice of such violation and order for removal shall be sent by certified mail to the registered owner's last-known address and, in case that said motor vehicle is located on private property, to the owner of said property, allowing seventy-two (72) hours from the date of said notice for the removal of said vehicle.
 - (2) Any police officer who discovers any motor vehicle, trailer, semi-trailer or mobile home on any public street or highway or any private or public property in the City of Cedarburg which has been abandoned and for which no response has been received to the notifications placed on the vehicle and sent to the owner shall cause the vehicle to be removed to a suitable place of impoundment.
 - (3) Any police officer who discovers any motor vehicle, trailer, semi-trailer or mobile home on any public street or highway or public or private property in the City of Cedarburg which is in violation of parking restrictions or other municipal ordinances or state statutes or is otherwise impeding traffic or threatening public safety and convenience may cause the vehicle to be removed to a suitable place of impoundment without providing the notifications required by Section 10-5-3(b)(1).
 - (4) Upon removal of the vehicle, the police officer shall notify the Chief of Police or his designee of the abandonment and of the location of the impounded vehicle.
- (c) **Storage and Reclaimer.** Any abandoned vehicle which is determined by the Chief of Police or his designee to be abandoned shall be retained in storage for a period of fourteen (14) days

after certified mail notice, as hereinafter provided, has been sent to the Wisconsin titled owner and/or secured party of record with the Wisconsin Motor Vehicle Division, except that if the Chief of Police or his designee determines an abandoned vehicle to have a value of less than One Hundred Dollars (\$100.00), or that the cost of towing and storage charges for impoundment will exceed the value of the vehicle, it may be junked or sold by direct sale to a licensed salvage dealer after having been retained in storage for a period of seven (7) days and after certified mail notice, as hereinafter provided, has been sent to the Wisconsin titled owner or secured party of record with the Wisconsin Motor Vehicle Division, provided that it is first determined that the vehicle is not reported stolen or wanted for evidence or other reason.

All substantially complete vehicles in excess of nineteen (19) model years of age shall be deemed as a having value in excess of One Hundred Dollars (\$100.00). Any such vehicle which may be lawfully reclaimed may be released upon the payment of all accrued charges, including towing, storage and notice charges and upon presentation of the vehicle title or other satisfactory evidence to the Chief of Police or his designee to prove an ownership or secured party interest in said vehicle.

- (d) **Notice to Owner or Secured Party.** Certified mail notice, as referred to herein, shall notify the Wisconsin titled owner of the abandoned vehicle, if any, and/or the secured party of record with the Wisconsin Motor Vehicle Division, if any, of the following:
- (1) That the vehicle has been deemed abandoned and impounded by the City of Cedarburg;
 - (2) The "determined value" of the abandoned vehicle;
 - (3) If the cost of towing and storage costs will exceed the determined value of the vehicle;
 - (4) That if the vehicle is not wanted for evidence or other reason, the vehicle may be reclaimed upon the payment of all accrued charges, including towing, storage and notice charges, within fourteen (14) days of the date of notice, unless the vehicle has been determined to have a value less than One Hundred Dollars (\$100.00) or that the cost of towing and storage charges for impoundment will exceed the value of the vehicle, in which case the vehicle may be reclaimed within seven (7) days upon the payment of the aforesaid charges; and
 - (5) That the owner or aforesaid secured party may, upon request, be granted a hearing relating to the determinations made with respect to said vehicle within the period that such vehicles may be reclaimed.

SEC. 10-5-4 DISPOSAL OF ABANDONED VEHICLES. (Ord. 2007-04)

Any abandoned vehicle impounded by the City which has not been reclaimed or junked or sold by direct sale to a licensed salvage dealer pursuant to the provisions of this Chapter may be sold by public auction sale, Internet auction, or public sale. In the event the abandoned vehicle is sold by public auction or public sale, sealed bids must be received. A Class I Notice, including the description of the vehicles, the name(s) and address(es) of the Wisconsin titled owner and secured

party of record, if known, and the time of sale shall be published before the sale. In the event the abandoned vehicle(s) is sold by Internet auction, a third party shall assist in the sale of the vehicle provided that a list shall be preserved of the vehicle(s) sold, the price for each vehicle, and the name and owner from whom the vehicle was received. Three days' notice shall be given to the public in the official newspaper of the City that unclaimed vehicles will be placed with an Internet auction site. It shall not be necessary to publish a list of the vehicles to be sold, but it shall be sufficient to give notice that articles will be sold via the Internet, naming the Website and giving the beginning date of any such sale. The auction company shall pick up the vehicle(s) and relocate the vehicle(s) to their facility from which the vehicle(s) will be picked up upon sale. The City shall also endeavor to include a notice on its official City Website, although failure to do so shall not void any sale.

SEC. 10-5-5 REPORT OF SALE OR DISPOSAL.

Within five (5) days after the direct sale or disposal of a vehicle as provided for herein, the Chief of Police or his designee shall advise the State of Wisconsin Department of Transportation, Division of Motor Vehicles, of such sale or disposal on a form supplied by said Division. A copy of the form shall be given to the purchaser of the vehicle enabling the purchaser to obtain a regular certificate of title for the vehicle. The purchaser shall have ten (10) days to remove the vehicle from the storage area but shall pay a reasonable storage fee established by the City for each day the vehicle remains in storage after the second business day subsequent to the sale date. Ten (10) days after the sale the purchaser shall forfeit all interest in the vehicle and the vehicle shall be deemed to be abandoned and may be sold again. Any listing of vehicles to be sold by the City shall be made available to any interested person or organization which makes a written request for such list to the Police Department. The Police Department may charge a reasonable fee for the list.

SEC. 10-5-6 OWNER RESPONSIBILITY FOR IMPOUNDMENT AND DISPOSAL COSTS.

- (a) The owner of any abandoned vehicle, except a stolen vehicle, is responsible for the abandonment and all costs of impounding and disposing of the vehicle. Costs not covered from the sale of the vehicle may be recovered in a civil action by the City against the owner.
- (b) Payment of removal and impoundment costs is not required when the vehicle has been impounded for purposes of law enforcement investigation.

SEC. 10-5-7 CONFLICT WITH OTHER CODE PROVISIONS.

In the event of any conflict between this Section and any other provisions of this Municipal Code, this Chapter shall control.

SEC. 10-5-8 VEHICLES AND APPLIANCES ON PRIVATE PROPERTY.

- (a) **Storage of Automobiles Restricted.** No disassembled, inoperable, unlicensed, junked or

wrecked motor vehicles, truck bodies, tractors, trailers, farm machinery or appliances shall be stored unenclosed outside a building upon private property within the City for a period exceeding ten (10) days unless it is in connection with an authorized business enterprise located in a properly zoned area maintained in such a manner as to not constitute a public nuisance.

(b) **Definitions.**

- (1) The term "disassembled, inoperable, junked or wrecked motor vehicles, truck bodies, tractors, trailers" as used in this Section is defined as follows: motor vehicles, recreational vehicles, truck bodies, tractors, farm machinery or trailers in such state of physical or mechanical ruin as to be incapable of propulsion, being operated upon the public streets or highways or which is otherwise not in safe or legal condition for operation on public streets or highways due to missing or inoperative parts, flat or removed tires, expired or missing license plates or other defects.
- (2) The term "unlicensed - motor vehicles, truck bodies, tractors or trailers" as used in this Chapter is defined as follows: motor vehicles, truck bodies, tractors, recreational vehicles or trailers which do not bear lawful current license plates.
- (3) The term "motor vehicle" is defined in Sec. 340.01(35), Wis. Stats.
- (4) The term "inoperable appliance" is defined as any stove, washer, refrigerator or other appliance which is no longer operable in the sense for which it was manufactured.

(c) **Exceptions.** This Section shall not apply to any motor vehicle or motor vehicle accessories stored within an enclosed building or on the premises of a business enterprise operated in a lawful place and manner in a properly zoned area when necessary to the operation of such business enterprise, in a storage place or depository maintained in a lawful place and manner, or seasonal use vehicles such as snowmobiles, motorcycles, motor scooters and nonmotorized campers, provided such vehicles are stored in compliance with the Ordinances of the City. Also excepted are motor vehicles registered pursuant to Sections 341.265 and 341.266, Wis. Stats. In other situations, the Common Council may issue temporary permits permitting an extension of not to exceed an additional thirty (30) days' time to comply with this Section where exceptional facts and circumstances warrant such extension.

(d) **Enforcement.**

- (1) Whenever the Police Department shall find any vehicles or appliances, as described herein, placed or stored in the open upon private property within the City, they shall notify the owner of said property on which said vehicle or appliance is stored of the violation of this Section. If said vehicle or appliance is not removed within five (5) days, the Police Department shall cause to be issued a citation to the property owner or tenant of the property upon which said vehicle or appliance is stored.
- (2) If such vehicle or appliance is not removed within twenty (20) days after issuance of a citation, the Chief of Police shall cause the vehicle or appliance to be removed and impounded, and it shall thereafter be disposed of as prescribed in Sections 10-5-3 through 10-5-6 by the Chief of Police or his duly authorized representative. Any cost incurred in the removal and sale of said vehicle or appliance shall be recovered from the owner. However, if the owner of the vehicle or appliance cannot readily be

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found, the cost of such removal shall be charged to the property from which it is removed, which charges shall be entered as a special charge on the tax roll.

- (e) **Penalty.** Any person who shall interfere with the enforcement of any of the provisions of this Section and shall be found guilty thereof shall be subject to a penalty as provided in Section 1-1-7. Each motor vehicle or appliance involved shall constitute a separate offense.

CHAPTER 6

Neighborhood Electric Vehicles

10-6-1 Neighborhood Electric Vehicles; Definitions, Standards, Permitted Users, Permitted Uses, Operation

SEC. 10-6-1 NEIGHBORHOOD ELECTRIC VEHICLES (Ord. 2008-14)

- (a) **DEFINITION.** “Neighborhood electric vehicle” (NEV) means a self-propelled motor vehicle that has successfully completed the neighborhood electric vehicle America Test program conducted by the Federal Department of Energy and that conforms to the definition and requirements for low speed vehicles as adopted in the Federal Motor Vehicle Safety Standards for “low-speed vehicles” under 49 CFR 571.3(b) and 571.500. Electric golf carts are excluded from the definition of an NEV.
- (b) **STANDARDS.** NEVs shall have 4-wheels, shall have a speed range of at least 20 miles per hour but not greater than 25 miles per hours on paved surfaces; and shall have a gross vehicle weight at rest of less than 3,000 pounds. NEVs shall meet the general test conditions under 49 CFR 571.50056, and shall have all of the following items of equipment:
- (1) Headlamps;
 - (2) Front and rear turn signals
 - (3) Stop lamps;
 - (4) Reflex reflectors; one red on each side as far to the rear as practicable, and one red on the rear;
 - (5) An exterior mirror mounted on the driver’s side and either an exterior mirror on the passenger side or an interior rearview mirror;
 - (6) Parking brake;
 - (7) A windshield that conforms to the requirements of the federal motor vehicle safety standard on glazing materials (49 CFR 571.205);
 - (8) A vehicle identification number (VIN) that complies with Federal law (49 CFR 565);
 - (9) A Type 1 or Type 2 seatbelt assembly conforming to 49 CFR 571.209, and Federal Motor Safety Standard No. 209, for each designated seating position.
- (c) **PERMITTED USERS OF NEIGHBORHOOD ELECTRIC VEHICLES.** To use a NEV on the streets of the City of Cedarburg the operator must possess a valid Wisconsin driver’s license.
- (d) **PERMITTED USE OF NEIGHBORHOOD ELECTRIC VEHICLES ON CITY STREETS.** A licensed individual may operate a NEV on the streets of the City of Cedarburg having a posted speed limit of 35 miles per hour or less, and the headlamps must be on during operation. The use of an NEV is not permitted on a State Highway.

- (e) **OPERATION OF NEIGHBORHOOD ELECTRIC VEHICLES.** The operation of NEVs as permitted herein shall in all respects be in compliance with the City of Cedarburg Code of Ordinances and all State of Wisconsin laws.