

## Chapter 9

### Traffic and Vehicles

#### Section

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**9.01 PROVISIONS OF STATE TRAFFIC LAW ADOPTED BY REFERENCE.**

Except as otherwise specifically provided in this code, the statutory provisions in Chapters 340 to 348, and 350, of the Wisconsin Statutes, describing and defining regulations with respect to vehicles and traffic, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment are hereby adopted and by reference made a part of this code as if fully set forth herein. Any act required to be performed or prohibited by an statute incorporated herein by reference is required or prohibited by this code. Any future amendments, revisions, or modifications of the statutes incorporated herein are intended to be made part of this code in order to secure uniform statewide regulation of traffic on the highways, streets, and alleys of the State of Wisconsin.

(a) That Section 349.21(1) of the Wisconsin Statutes is hereby adopted.\*

\*which provides that school bus operators may use flashing red warning lights in a residence or business district when pupils or other authorized passengers are to be loaded or unloaded at a location at which there are no traffic signals and such persons must cross the street or highway before being loaded or after being unloaded.

**9.02 SPEED LIMITS.** The Common Council of the City of Stevens Point hereby determines that the statutory speed limits on the following streets or portions thereof are unreasonable, unsafe, or imprudent and modifies such speed limits under authority granted by s. 349.11 of the Wisconsin statutes as follows:

(a) Speed Limits Increased. Speed limits established by s. 346.57 (4) (e) (f) and (g), Wisconsin statutes, are increased as hereinafter set forth upon the following streets or portions thereof:

1. 35 miles per hour on:
  - a. [Repealed]
  - b. [Repealed]
  - c. County Trunk C from West Clark Street to West Gates Drive
  - d. West Gates Drive from County Trunk C to West Clark Street
  - e. West Clark Street from West city limits to West Gates Drive
  - f. [Repealed]
  - g. [Repealed]
  - h. [Repealed]

- i. Michigan Ave. at 100' North of Maria to N. Reserve Street
- j. N. Reserve St. to the North city limits
- k. Country Club Drive - Hoover Road
- l. North Point Dr. between Michigan Ave. & Stanley Street
- m. Patch Street from the 2800 block through the 4100 block
- n. On Division Street North from a point 100 feet south of Scholfield to the circulatory roadway of the roundabout.
- o. [Repealed]
- p. [Repealed]
- q. Main Street from a point of 307 feet east of Frontenac Avenue to a point of 383 feet east of Ridge Road.
- r. Stanley Street from Lindbergh Avenue to Green Avenue North.
- s. Torun Road from Norway Pine Drive to North City Limits.
- t. [Repealed]
- u. Brilowski Road from North Point Drive to Elmwood Ave.
- v. West County Hwy HH from West Harding Avenue westerly for a distance of .030 mile.
- w. On Hwy. HH (Water Street & Riverview Avenue) from the intersection with Polk Street Northwesterly to a point 2440 feet east of West River Drive.
- x. On County Hwy HH from east city limits to Hoover Road
- y. On Division Street North for all southbound vehicles only, from a point 0.10 of a mile north of the center of the roundabout to the circulatory roadway of the roundabout.

2. 50 miles per hour on:

- a. [Repealed 08-20-18]

3. 40 miles per hour on:

- a. [Repealed]

a. [Repealed 08-20-18]

b. [Repealed]

b. Main Street from a point 383 feet east of Ridge Road to the easternmost city limits.

4. 45 miles per hour on:

a. [Repealed]

b. Stanley Street (State Highway 66) from Green Avenue North to the easternmost city limits.

c. On Hwy. HH (Riverview Avenue & West River View Avenue) from a point of 2440 feet east of West River Drive to the western city limits.

d. On Brilowski Road from Elmwood Avenue to the South City limits

e. [Repealed 09-17-2018]

5. 30 miles per hour on:

a. Stanley Street from Clayton Avenue to Lindbergh Avenue.

6. 55 miles per hour on:

a. On Division Street North for all northbound vehicles only, from a point 0.10 of a mile north of the center of the roundabout to the circulatory roadway of the roundabout.

b. Speed Limits Decreased: Speed limits are hereinafter set forth upon the following streets or portions thereof:

1. 10 miles per hour in:

a. Bukolt Park, around the lagoon

b. Iverson Park, around the park and picnic areas

2. 15 miles per hour in:

a. Bukolt Park - entrance and exit

b. 15 miles per hour where School Crosswalk assembly is installed indicating a designated school zone crosswalk to include signalized locations (but not on approaches controlled by a STOP sign).

c. Main Street from Rogers Street to Water Street (amended 8-17-15)

- d. Second Street from Clark Street to Crosby Avenue
- e. Ellis Street from Church Street to Clark Street (cr.1-18-16)
- f. At the intersection of Division Street north and North Point Drive within the circulatory roadway of the roundabout.
- g. West Whitney Street from West Cornell Avenue to West Clark Street.
- h. West Cornell Avenue from West River Drive to West Whitney Street.

### 9.03

(a) **THROUGH HIGHWAYS DESIGNATED.** In the interest of public safety and pursuant to s.349.07, Wisconsin statutes, the following streets or portions thereof are declared to be through highways and traffic signs or signals giving notice thereof shall be erected by the Police and Street Departments in accordance with section 9 of this ordinance:

1. Main Street from Wilshire Blvd. to Crosby Avenue
2. Clark Street (Hwy 10) from Crosby Avenue to Wilshire Blvd.
3. Church Street from Minnesota Avenue to Main Street
4. Strongs Avenue from Main Street to Division Street
5. Second Street from main Street to DuBay Avenue
6. Maria Drive from Forest Street to Michigan Avenue
7. Michigan Avenue from Maria Drive to Church Street
8. Water Street from Clark Street to Polk Street
9. College Avenue from Union Street to Phillips Street
10. Division Street from DuBay Avenue to Depot Street
11. Illinois Avenue from Stanley Street to Main Street
12. Stanley Street (Hy 66) from Reserve Street to Indiana
13. West Clark Street (Hy 10) from Crosby Avenue to west city limits
14. Highway 10 from West Clark Street to west city limits.
15. Union Street from Main Street to Maria Drive
16. Phillips Street from Main Street to Portage Street
17. Bukolt Avenue from Second Street to Wisconsin River
18. Jefferson Street from Division Street to East city limits and Pinecrest Avenue
19. Dixon Street from Division Street to east city limits and Pinecrest Avenue
20. Fourth Avenue from east side of Wisconsin River to Illinois Avenue
21. Cornell Avenue from Witney Street to Highway 10
22. West River Drive from West Clark Street to south city limits
23. West River Drive from West Clark Street to west city limits
24. Center Street from Division Street to Texas Avenue
25. Minnesota Avenue from south city limits to Patch Street
26. Whiting Avenue from Water Street to Riverview Avenue
27. Wisconsin Street from Division Street to Cypress Street
28. Shaurette Street from Church Street to Cypress Street
29. Heffron Street from Church Street to Dan's Drive

30. Nebel Street from Minnesota Avenue to Michigan Avenue
31. Lindbergh Avenue from Della Street to Bush Street
32. Patch Street from Church Street to east city limits
33. Wyatt Avenue from Clark Street to Monroe Street
34. Fremont Street from Main Street to Stanley Street
35. Reserve Street from Main Street to north city limits (or DuBay Avenue)
36. Isadore Street from Portage Street to Maria Drive
37. North Point Drive from Division Street to Second Street North
38. Crosby Avenue from Main Street to Franklin Street
39. Forest Street from Franklin Street to north city limits
40. Sixth Avenue from Second Street to Front Street
41. Washington Avenue from Forest Street to Second Street
42. Franklin Street from Lee Street to Reserve Street

Prentice Street from Fourth Avenue to Maria Drive

(b) TRAFFIC CONTROL SIGNALS; CONTROLLED INTERSECTIONS DESIGNATED.

In the interest of public safety, the following intersections are declared controlled intersections and traffic control signals shall be installed thereon in conformity with the Wisconsin Official Traffic Control Device Manual and provisions of this code:

- (1) Brilowski Road and U.S. Highway 10 East (Main Street).
- (2) CenterPoint Drive and Church Street.
- (3) CenterPoint Drive and Second Street/Water Street.
- (4) Church Street and Clark Street.
- (5) Church Street and Michigan Avenue.
- (6) Clark Street and Division Street.
- (7) Clark Street and Michigan Avenue.
- (8) Clark Street and Strongs Avenue.
- (9) Clark Street and Water Street.
- (10) Country Club and Main Street.
- (11) Crosby Avenue and Water Street.
- (12) Division Street and Fourth Avenue.
- (13) Division Street and Jefferson Street/Wisconsin Street.
- (14) Division Street and Main Street.
- (15) Division Street and Maria Drive.
- (16) [Repealed 08-20-18]
- (17) Main Street and Michigan Avenue.
- (18) Michigan Avenue and Patch Street.
- (19) Michigan Avenue and Stanley Street.
- (20) Church Street and Heffron Street.
- (21) Main Street (U.S. Highway 10 East) and Maple Bluff Road/Old Highway 18.
- (22) Dixon Street and Michigan Avenue.
- (23) At the intersection of Church Street and Nebel Street.
- (24) At the intersection of Water Street and Highway HH.
- (25) At the intersection of Water St. (Hwy HH) and Polk Street
- (26) At the intersection of Jefferson Street & Michigan Avenue.

- (27) At the intersection of Wilshire Boulevard & Main Street (Hwy. 10)
- (28) At the intersection of Brilowski Road and Lands' End Way.
- (29) At the intersection of U.S. Hwy 10 and County Highway P.
- (30) At the intersection of Church Street (Bus. 51) / Division Street (Bus. 51) / Park Street / Madison Street. (Created 9-4-2012)
- (31) At the intersection of County Road HH and Business Park Drive. (Created 9-4-2012)
- (32) At the intersection of County Road HH and Brilowski Road (CR R). (Created 9-4-2012)
- (33) At the intersection of Division Street North and Academy Avenue. (Created 9-4-2012)

(c) TURNS PROHIBITED ON RED LIGHT.

No operator of any vehicle shall make a turn on a red traffic signal at the following locations:

- (1) Left turn from Strongs Avenue onto Clark St.

**9.04 ONE-WAY STREETS.** Pursuant to section 349.10, Wisconsin Statutes, the following streets and roadways and parts thereof are declared to be one-way streets and no person shall operate any vehicle thereon except in the indicated direction.

(a) Streets

1. Westerly on Main Street from Minnesota Avenue to Prentice Street
2. Westerly on Main Street from Church Street to Water Drive
3. Westerly on CenterPoint Drive from Rogers Street to Water Street
4. Easterly on Clark Street from Water Street to Minnesota Avenue
5. Northerly on Minnesota Avenue from Clark Street to Main Street
6. [Repealed]. 4-16-12
7. [Repealed]. 4-16-12
8. Northerly on Church Street from Division Street to Arlington Place
9. Southbound on Strongs Avenue from Main Street to Park Street
10. Northerly on Second Street from CenterPoint Drive to Portage Street
11. Southerly on First Street from Portage Street to CenterPoint Drive
12. Southerly on Frederick Street from Maria Drive to Walker Street

13. Northerly on West Street from Walker Street to Maria Drive
14. Southerly on Reserve Street from Main Street to Clark Street
15. Northerly on Prentice Street from Main Street to CenterPoint Drive
16. [Repealed]
17. [Repealed] 5-21-12
18. Northerly on West Whitney Street to West Cornell Avenue
19. Westerly on West Cornell Ave. to West River Drive
20. Westerly on Lloyd Street from Blaine Street to Cleveland Avenue
21. Northerly on Cleveland Avenue from Lloyd Street to Rice Street
22. Westerly on Franklin Street from Division Street to Prentice Street
23. Counter Clockwise one way traffic flow at the Mathius Mitchell Public Square
24. Westerly on Ellis Street from Church Street to Strongs Avenue cr 011816

(b) Park Roads

In Accordance with appropriate signs posted on authority of the Director or Parks and Recreation and the Director of Public Works designating one-way roads within Bukolt Park and Iverson Park.

**9.05 PARKING LIMITATIONS (See Separate Document)**

**9.06 STOP SIGNS, YIELD SIGNS, TURNING LIMITATIONS (See Separate Document)**

**9.07 WEIGHT LIMITS AND HEAVY TRAFFIC AND TRUCK ROUTES**

(1) Weight Limits. No person shall operate any vehicle with a gross weight in excess of 10,000 pounds on streets or portions of streets, or alleys, except those designated as heavy traffic and truck routes, other than for the following purposes.

1. Operating while actually engaged in deliveries or pick-ups to business or residence from the nearest designated heavy traffic and truck route.
2. Governmentally owned vehicles for the purpose of maintaining streets and alleys.



3. Operating to and from garage of owner or operator, or for the purpose of having the truck serviced repaired or while being tested.

(2) Heavy Traffic and Truck Routes

1. All streets in the city which are designated as a U.S. (federal), State or County Trunk Highway by the Wisconsin Department of Transportation or the Portage County Highway Department.

2. Patch Street-Industrial Park Road from Church Street to Hoover Road.

3. Wayne Street from Minnesota Avenue through the 3400 Block.

4. Dixon Street from Michigan Avenue to Minnesota Avenue

5. Minnesota Avenue from Dixon Street to Wayne Street

6. Michigan Avenue from Church Street to North Point Drive

7. [Repealed]

8. [Repealed]

9. Whiting Avenue from Church Street to South City Limits

10. North Point Drive from Division Street North to Michigan Avenue North

11. Second Street from CenterPoint Drive to north city limits

12. [Repealed]

13. Church Street from CenterPoint Drive to Clark Street

14. [Repealed]

15. Portage Street from Second Street to First Street

16. First Street from Portage Street to Water Street-CenterPoint Drive

17. Hoover Road-Country Club Drive entire portion within the city

18. [Repealed]

19. Nebel Street from Church Street to Water Street

20. Wildwood Drive from Windy Drive to Main Street (U.S. Highway 10 East)

21. Windy Drive entire portion within the City

22. Indiana Avenue from Wayne Street to Dixon Street.
23. Dixon Street from Indiana Avenue to the City Limit in the 3400 Block.
24. Wilshire Boulevard from Main Street to Jefferson Street.
25. Jefferson Street in the 3500 Block.
26. Wood Street from Wisconsin Street to Park Street.
27. Park Street from Division Street to Bliss Avenue, this includes an extension of Park Street to Mason Street.
28. Mason Street from Canadian National Railroad tracks to Park Street.
29. Stanley Street between Michigan Avenue and U.S. Hwy 10/51/39.
30. E.M. Copps Drive from Brilowski Road (County Road R) to 1,926 feet east of Week Street.

**9.08 ACCIDENT REPORTS.** The operator of any vehicle involved in an accident shall immediately, after such, accident file with the city 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 in sections 346.70 (4) (f) and 346.73 of the Wisconsin Statutes.

#### **9.09 ABANDONED VEHICLES**

(1) Abandonment of Vehicles Prohibited. No person shall abandon any vehicle unattended within the City of Stevens Point for such a time and under such circumstances as to cause the vehicle to reasonably appear to be abandoned.

(2) Definition. As used in this Section, "vehicle" means a motor vehicle trailer, semi-trailer or mobile home as defined in Section 9.01 of this Code, machinery, and any partially dismantled, non-operable, wrecked, junked or discarded motor vehicle, whether or not registered under Chapter 341 of the Wisconsin Statutes.

(3) Presumption of Abandonment. Any vehicle left unattended for more than 48 hours on any public street or grounds, or on private property without the permission of the owner or lessee, is deemed abandoned and constitutes a public nuisance; provided that the vehicle shall not be deemed abandoned under this Section if left unattended on private property out of public view, by permission of the owner or lessee.

(4) Exceptions. This Section shall not apply to a vehicle in an enclosed building, a vehicle in an appropriate storage space or depository maintained in lawful place

and manner authorized by the City of Stevens Point or a vehicle parked in a metered or paid lot or parking space where the required fee has been paid and meter activated.

(5) Removal and Impoundment or Sale. Any vehicle found abandoned in violation of this ordinance shall be impounded by the Police Department until lawfully claimed or disposed of as provided in this Section. If the Chief of Police or his/her duly authorized representative determines that towing costs and storage charges for the minimum impoundment period [see subsection (6)] would exceed the value of the vehicle, the vehicle may be junked or sold prior to the expiration of the impoundment period upon determination by the Chief of Police that the vehicle is not wanted for evidence or any other reason; provided that substantially complete vehicles in excess of 19 model years of age shall be sold or disposed of only by auction, sale or sealed bid in accordance with subsection (8) of this Section.

(6) Minimum Impoundment Period. The minimum period of impoundment or storage of a vehicle found in violation of this Section shall be 10 days.

(7) Notice to Owner. The Police Department removing or causing the removal of any vehicle found in violation of this Section shall immediately notify the Chief of Police of the abandonment and location of the impounded vehicle, and shall within 10 days thereafter notify the owner and lienholders of record, by certified mail, of the impoundment and of their right to reclaim the vehicle. The notice shall set forth the information contained in Section 342.40(3) of the Wisconsin Statutes, and shall state that the failure of the owner or lienholders to exercise their rights to reclaim the vehicle shall be deemed a waiver of all right, title and interest in the vehicle and a consent to sale of the vehicle.

**Wisconsin Statute 342.40 (3)** (intro.) *Any municipality or county may enact ordinances governing the removal and disposal of abandoned vehicles and, except for abandoned vehicles that have been stolen, provide a forfeiture in addition to providing for the recovery by the municipality or county of the cost of impounding and disposing.*

(8) Sale. Each retained vehicle not reclaimed by the owner or lienholder may be disposed of by sealed bid or auction sale as provided in Section 342.40(3) of the Wisconsin Statutes.

(9) Sale to Bar Claims Against Vehicle. The sale of a motor vehicle under the provisions of this Section shall forever bar all prior claims thereof to interest therein except as hereinafter provided.

(10) Purchaser to Remove Vehicle. The purchaser of any vehicle on sealed bid or auction sale under subsection (8) shall have 10 days to remove the vehicle from the storage area upon payment of a reasonable storage fee for each day the vehicle has remained in storage after the second business day subsequent to the sale date. Ten 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 again sold.

(11) Request for List. Any listing of vehicles to be sold pursuant to this Section shall be made available by the City Clerk to any interested person or organization who makes a written request therefore.

(12) Notice to Department. Within five days after sale or disposition of a vehicle under this Section, the Clerk shall advise the Wisconsin Department of Transportation of such sale or disposition on a form supplied by the Department.

(13) Owner May File. At any time within two years after the sale of a motor vehicle as provided herein, any person claiming ownership of such motor vehicle or a financial interest therein may present a claim to the Common Council setting forth such facts as are necessary to establish such ownership or interest, and that the failure of the claimant to reclaim the vehicle prior to the sale was not the result of the neglect or fault of claimant. If the Common Council is satisfied as to the justice of such claim, it may allow the same, but in no case shall the amount allowed exceed the sum paid into the City Treasury as the result of the sale of such motor vehicle, nor the amount of interest of the claimant therein.

(14) Exemption. Any owner of person operating a registered vehicle which shall become disabled or inoperative for any reason, and who shall be unable to cause removal of such vehicle from any alley, street, highway or public place, not otherwise regulated as a restricted parking, stopping or standing zone, shall, within 12 hours of such occurrence, notify the Police Department of the location of the vehicle and shall transfer and deliver clear title for said vehicle to the City of Stevens Point together with a reasonable fee to offset the cost of towing and junking charges and shall be exempt from the provisions of this ordinance.

When so requested by the owner or person in charge of a vehicle, the Chief of Police shall be authorized to order such vehicle removed and junk directly from the scene of disablement by the Police Department or contractor engaged by the Police Department for towing of disabled vehicles. This provision of subsection (11) shall apply to any vehicle removed under this subsection.

(15) Inspectors' Action. Whenever the Building Inspector, Sanitarian, or Consumer Products Inspector of the City of Stevens Point shall find any vehicle placed or stored in the open upon private property within the corporate limits of the City of Stevens Point, they shall notify the owner of the property upon which said vehicle is placed or stored of the intention of the City of Stevens Point to remove such vehicle. If any such vehicle is not removed within ten (10) days after such notice, the inspector shall cause such vehicle to be removed, the cost of such removal to be charged to the property owner pursuant to the special tax provisions of section 66.60 of the Wisconsin Statutes.

## **9.10 OFFICIAL TRAFFIC AND SIGNALS.**

(1) Person Authorized to Procure and Erect Signs and Signals. The superintendent of Streets is hereby authorized and directed to procure, erect, and maintain appropriate standard traffic signs, signals, and markings conforming to the rules of

the State Highway Commission giving such notice of the provisions of this ordinance as required by state law. Signs shall erected in such locations and manner as the Common Council shall determine will best effect the purposes of this ordinance and give adequate warning to users of the street or highway.

(2) Removal of Unofficial Signs and Signals. The Superintended of Streets shall have the authority granted by section 349.09 of the Wisconsin statutes and is hereby directed to order the removal of a sign, signal, marking, or device placed, maintained, or displayed in violation of this ordinance or section 346.41 of the Wisconsin statutes. Any charge imposed on a premise for removal of such an illegal sign, signal, or device shall be reported to the Common Council at its next regular meeting for review and certification.

9.11 [Repealed]

## **9.12 BICYCLE AND MOTOR BICYCLE ORDINANCE**

(a) The statutory provisions in Chapters 340 to 348, of the Wisconsin State Statutes, relating but not limited to the definitions and regulation of bicycle and motor bicycle traffic, operations, licensing and equipment, are adopted by Section 9.01 of this Revised Municipal Code. All persons shall observe these statutory provisions. If any provision of this Section 9.12 conflicts with or contravenes any of the statutory provisions, the statutory provisions shall prevail.

(b) Definitions.

(1) In Section 9.12, the phrase "transfer of ownership between immediate family members" means transfer of the bicycle or motor bicycle's ownership to the spouse, parent, child, brother or sister of the transferor.

(2) [Repealed]

(c) It is unlawful for any person to operate or for any owner to consent to being operated upon any street or Bicycle Way in the City of Stevens Point any bicycle or motor bicycle which is owned by a resident of the City of Stevens Point unless at the time of operation the bicycle or motor bicycle is registered and tagged as herein provided. If the bicycle owner is not a resident of the City of Stevens Point, then that bicycle must be registered in the municipality where the owner resides, providing that jurisdiction has bicycle registration.

(d) In case of change of ownership, the new owner shall reapply for registration, and thereupon the record shall be changed to show the name of the new owner.

(e) Registration shall be made by filing with the Police Department the name and address of the owner, and the serial number and description of the bicycle, on the forms provided, together with the fee as set forth in

subsection (g). Registration shall be serially numbered and kept on file as a public record. The registration tag corresponding to the registration shall be affixed in plain view to the seat tube on the frame of the bicycle or motor bicycle. Such tag shall remain affixed to the bicycle or motor bicycle unless removed by the Police Department for cause or for retagging upon change of ownership.

(f) A rental agency shall not rent or offer for rent any bicycle or motor bicycle unless the bicycle is registered and a registration tag is affixed thereto as required herein and such bicycle or motor bicycle is equipped with equipment required.

(g) (1) Effective January 1, 1985, registration shall be non-expiring and shall, subject to paragraph (6), remain valid as long as the ownership of the bicycle or motor bicycle does not change.

(2) The fee for registration shall be \$6.

(3) In the event of theft or loss or the registration tag becomes illegible, the owner shall apply for a duplicate tag. The fee for a duplicate tag shall be \$2.

(4) There shall be no prorating of registration fees.

(5) Upon transfer of ownership, the new owner shall comply with subsection (d) and, except as provided in paragraph (6), shall re-register the bicycle or motor bicycle as provided in subsection (e), shall pay the fee as set forth in paragraph (2), and shall thereupon be issued a new registration number.

(6) Upon transfer of ownership between immediate family members, the new owner shall comply with subsection (d), for which no fee shall be required, and thereupon the transferor's registration number shall be assigned to and become valid for the transferee.

(h) No person, except the transferor upon transfer of ownership, may willfully remove, deface or destroy such identification tag.

(i) The Police Department shall monthly make an accounting of fees received to the City Comptroller-Treasurer.

(j) When any bicycle or motor bicycle is found to be unsafe for operation, a traffic officer may order it removed from the highway and not operated, except for purposes of removal and repair, until it has been repaired.

(k) No person may operate any bicycle or motor bicycle upon any part of any public highway, bicycle way, or sidewalk in such a manner as it interfere with the rights of other persons using such highway, bicycle way, or sidewalk.

(l) No person may operate any bicycle or motor bicycle upon any public

highway, bicycle way, or sidewalk except in a careful and prudent manner, or at a speed greater than is reasonable and prudent under traffic conditions existing at the time, and every bicycle or motor bicycle shall be operated with due regard to the safety of the operator and other persons upon the highway, bicycle way, or sidewalk.

(m) It shall be unlawful to do any trick riding on any highway, bicycle way, or sidewalk or to operate a bicycle or motor bicycle with no hand on the handle bars.

(n) No more than one person may ride on a motor bicycle at any one time, including the operator.

(o) No owner or operator of any bicycle or motor bicycle may park the same on any highway, bicycle way, or sidewalk in such manner as to interfere with free passage by the public.

(p) Bicyclists exercising due care may operate a bicycle or motor bicycle with the power unit not in operation upon any sidewalk.

(q) Bicycle Ways. Unless otherwise provided, bicycle traffic shall be 2-way on the Bicycle Way. Unless otherwise provided, the Bicycle Way may be used by pedestrians, and every person operating a bicycle thereupon shall yield the right-of-way to any pedestrian. Every person operating a bicycle on a Bicycle Way shall obey all traffic control signs, signals, and markings posted on the Bicycle Way. The Director of Public Works shall have authority to close any Bicycle Way or portion thereof between November 1 and April 1 or portion of time period thereof. The following are designated as a Bicycle Way:

(1) The sidewalk of the south side of Main Street in the 4100 through 4600 blocks.

(2) The path running between Bukolt Park and Pfiffner Pioneer Park.

(3) North and south side of Patch Street from Michigan Avenue to Industrial Park Road

(4) North and south side of Industrial Park Road from Patch Street to Hoover Road

(5) East and west side of Michigan Avenue from Patch Street to Church Street

(6) East and west side of Second Street North from North Point Dr. to Johnson Dr.

(7) On North Point Drive from Michigan Avenue to Wilshire Blvd.

(8) On the east and west sides of Michigan Avenue North from Maria Drive to a point 1800 feet north of North Point Drive.

(9) On the east side of Business Park Drive from a point 400 feet north of Vern Holmes Drive to E.M. Copps Drive.

(10) On the west side of Business Park Drive from E.M. Copps Drive to Vern Holmes Drive.

(11) On the north and south sides of Vern Holmes Drive from John Joanis Drive to cul-de-sac.

(12) On the east and west sides of John Joanis Drive from Vern Holmes Drive to Business Park Drive.

(13) On the north and south sides of Carrie Frost Drive from John Joanis Drive to Venture Drive.

(14) On the north and south sides of Clem's Way from Business Park Drive to Brilowski Road (County Road R).

(15) On the north and south sides of E.M. Copps Drive from Business Park Drive to Brilowski Road (County Road R).

(16) On the east and west sides of Venture Drive from Carrie Frost Drive to County Road HH.

(17) On the east and west sides of Brilowski Road from 506 feet north of Main Street (U.S. Highway 10 East) to Walter Street.

(18) On the north and south side of E. M. Copps Drive from Brilowski Road to Week Street.

(19) On the west side of Hoover Road and Country Club Drive from Industrial Park Road to a point 62 feet north of Carol's Lane.

20. On the east side of Hoover Road and Country Club Drive from a point 195 feet south of Industrial Park Road to Carol's Lane.

21. On the north and south side of North Point Drive from a point 376 feet west of Prentice Street North to a point 370 feet east of Prentice Street North.

22. On the east and west side of Prentice Street North from Maria Drive to the intersection of North Point Drive and Prentice Street North.

(r) Except as provided in subsection (s), no person may operate a bicycle or motor bicycle with the power unit not in operation on the following roadways; said vehicles must be operated on an existing sidewalk of such roadway unless otherwise provided.

(1) Main Street in the 4100 through 4600 blocks.

(s) Subsection (r) does not apply to an operator who is perpendicularly and otherwise lawfully crossing the roadway. Subsection (r) does not apply where



existing sidewalk or sidewalks of such roadway is or are closed to traffic due to construction, unplowed snow, obstruction or other reason.

(t) No parent or guardian of any child shall authorize or knowingly permit such child to violate any of the provisions of Section 9.12.

(u) Penalties. Unless otherwise provided in Section 9.13:

(1) Any person fourteen years of age or older who shall violate any provision of Section 9.12 shall suffer a forfeiture of not more than \$20.00. In default of payment of such forfeiture, any person eighteen years of age or older shall be imprisoned in the County Jail for a period of not more than thirty (30) days. In default of payment of such forfeiture, any person under the age of eighteen years shall be sentenced to pursuant to Section 48.343 of Section 343.345 of the Wisconsin State Statutes.

(2) Any person under the age of fourteen years who shall violate any provision of Section 9.12 shall, for the first offense, write the city Bicycle Ordinance as directed by the Chief of Police or his/her representative. In default of writing the City Bicycle Ordinance and for second and subsequent offense, the offender shall be referred to juvenile authorities and proceedings may be held in accord with Chapter 48 of the Wisconsin State Statutes.

#### **9.12(v) Abandoned Bicycles.**

(1) Violation. No person may leave unattended any bicycle on any public street, highway, building, place or park upon any public property, for such time and under such circumstances as to cause the bicycle to reasonably appear abandoned.

(2) Notice of Abatement. Any bicycle in violation of sub. (1) may have a notice affixed to it which informs the owner of the bicycle, that the bicycle appears to abandoned. Only police officers or Community Service Officers have authority to affix such notices upon bicycles. The notice shall indicate:

- a. The date and time the notice was affixed;
- b. A phone number for the owner to call to inform the agency which affixed the notice, that the bicycle is not abandoned;
- c. The date and time after which the bicycle may be removed under sub. (3).

A bicycle shall be deemed as "not abandoned" if the owner of the bicycle, within 72 hours of the affixing of a Notice of Abandonment, notifies the agency affixing that notice, that the bicycle is not abandoned.

(3) Removal. If a bicycle remains in violation of sub. (1) more than 72 hours after the Notice of Abandonment has been affixed in compliance with sub. (2), that bicycle may be removed by any Police Officer or Community Service Officer and immediately thereafter delivered to the police property room. However, before any designated person removes a bicycle they shall first

- (4) determine whether their agency has designated the bicycle as "not abandoned." A bicycle designated "not abandoned" may not be removed. A bicycle removed under this section shall remain in the custody of the police department until it is retrieved by the owner or otherwise disposed of according to law.
- (5) Impoundment Fee. A removed bicycle in the custody of the police department shall be permitted to be retrieved by the owner only if the impoundment fee is paid, as set by the Abandoned Bicycle Fee Schedule Policy.

**9.13 PENALTY.** The penalty for violation of any provision of this ordinance shall be a forfeiture as hereinafter provided together with the cost of prosecution imposed as provided in sections 345.20 to 345.53 of the Wisconsin statutes:

(1) Uniform Offenses. Forfeitures for violation of any provisions of chapters 341 to 348 adopted by reference in section 1 of this ordinance shall conform to forfeitures for violation of the comparable state offense, including any variations of increases for second offenses.

(2) Special Local Regulations. The forfeiture for violation of sections 2,3,4,5,6,7,8 (4) of this ordinance shall not be less than \$5.00 nor more than \$200 for the first offense and not less than \$10 nor more than \$500 for the second offense within two (2) years.

(3) Miscellaneous. The forfeiture for violation of any provision of section 1 (2) of this ordinance shall be not less than \$50.00 nor more than \$500.

(4) Parking. The forfeiture for violation of parking regulations in section 5 (1), (2), or (3) of this ordinance shall not be less than \$50 no more than \$100.

**9.14 ENFORCEMENT.** This ordinance shall be enforced in accordance with the provisions of sections 345.20 to 345.53, chapter 299 and section 66.12 of the Wisconsin statutes.

(1) Stipulation of Guilt or No Contest. Stipulations of guilt of no contest may be made by persons arrested for violations of this ordinance in accordance with section 66.12 (1) (b), Wisconsin statutes, whenever the provisions of section 345.27 are inapplicable to such violations. Stipulations shall conform to the form contained on the uniform traffic citation and complaint under section 345.11, Wisconsin statutes, and may be accepted within five (5) days of the date of the alleged violation. Stipulations may be accepted by the clerk of courts or city police department.

(2) That the Personnel Committee of the City of Stevens Point is hereby authorized to engage the services of crossing guards for hazardous intersections within the said city for the purpose of providing assistance to pedestrians in negotiating such intersections.

(2) Deposits. Any person stipulating guilt or no contests under subsection (1) of this section must make the deposit required under section 345.26, 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 to the office of the clerk of courts or the city police department as directed by the arresting officer. Deposits for parking or nonmoving violations shall be mailed or brought to the city treasurer.

(3) Notice of Demerit Points and Receipt. Every officer accepting a forfeited penalty or money deposit under this ordinance shall receipt therefor in triplicate as provided in section 345.26 (3) (b), Wisconsin statutes. Every officer accepting a stipulation under the provisions of this ordinance shall comply with the provisions of section 343.27, 343.28, 345.26 (1) (a) and 345.27 (2), 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, Wisconsin statutes.

(4) Forfeitures in Treasury; Officer to Post Bond, Qualify. Any officer accepting deposits or forfeited penalties under this ordinance shall deliver them to the city treasurer with twenty (20) days after receipt. Any officer authorized to accept deposits under section 345.26, Wisconsin statutes, or this ordinance shall qualify by taking the oath prescribed by section 19.01, Wisconsin statutes, and filing and official bond in the sum of \$500 as described by section 19.01.

(5) Parking Ticket-Citations. When approved by the Chief of Police, parking Ticket-Citation may be used for enforcement of non-moving traffic regulations created or adopted by this Code, including violations of non-moving traffic regulations defined and described in the Wisconsin Statutes, adopted by reference in section 9.01, and all parking provisions of Chapters 8, 9, 21, 23, and 30 of this Code. Non-moving traffic violations are governed by the procedures set forth in Section 345.28 of the Wisconsin Statutes. Parking Ticket-Citations may be used by law enforcement officers or by civilian employees of the Stevens Point Police Department. Parking Ticket-Citations may also be used by building, housing and street inspectors of the City of Stevens Point and their authorized representatives for those violations which are directly related to their specific responsibilities.

Parking Ticket-Citations may also be used by the Executive Director of the Community Development Authority of the City of Stevens Point and his/her authorized representatives for those violations which are directly related to Housing Authority real properties.

(6) Any person authorized by the Police Department may place an immobilization device on any vehicle which has accumulated three or more unpaid parking tickets, all of which are a minimum of sixty days beyond the date of issue, the registered owner of which has been sent notice of overdue payment to their address of record. Any immobilization device utilized will be one designed as manufactured for the purpose of preventing the vehicle from being moved.

The immobilization device may be applied to any vehicle parked on or along a highway, on any public parking lot or on public lands.

No unauthorized person may attempt to remove or to damage any immobilization device.

The vehicle may remain immobilized until the owner of the vehicle makes payment for all overdue parking tickets.

Any vehicle which remains immobilized for three or more days without the owner contacting the Police Department may be declared abandoned.

The Police Department may assess a fee to cover costs for the application and removal of the device.

**9.15 REFERENCES TO STATUTES.** References to specific statutory sections wherever used in this ordinance shall mean the Wisconsin statutes of 1971.

**9.16 REPEAL OF CONFLICTING ORDINANCES.** All ordinances regulating traffic upon the streets, alleys, and highways of the City of Stevens Point, Wisconsin, and all ordinances or parts of ordinances heretofore enacted by the Common Council of said city are hereby repealed.

**9.17 SEVERABILITY.** The provisions of this ordinance shall be deemed severable and it is expressly declared that the Common Council would have passed the other provisions of this ordinance irrespective of whether or not one of more provisions may be declared invalid and if any provisions or this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby. Bottom of Form

**9.18 MAYORAL AUTHORITY TO TEMPORARILY CLOSE STREETS**

- (1) Pursuant to Wis. Stats. § 349.185, the Mayor shall have the authority to order that streets be temporarily be closed to motor vehicles in order to facilitate the safe and orderly conducting of City-sponsored events.