

## **101.23 PARKING, KEEPING OR STORING OF DISABLED, INOPERABLE, INCOMPLETE OR UNREGISTERED MOTOR VEHICLES.**

### **(1) PARKING, KEEPING OR STORING DISABLED, INOPERABLE, INCOMPLETE OR UNREGISTERED MOTOR VEHICLES OR VEHICLE PARTS OUTSIDE OF AN ENCLOSED BUILDING PROHIBITED.**

(a) No person shall park, keep, store or maintain any disabled, inoperable, incomplete or unregistered motor vehicle or motor vehicle part in any of the following areas within the City of Richland Center:

1. Outside of an enclosed garage or other enclosed building on any property which is in a residential zoning district.

2. Outside of an enclosed garage or other enclosed building on any property which is in a commercial or industrial zoning district, except that where such keeping is in connection with and necessary to the operation of a garage, body shop, auto repair business, service station or other similar business, a damaged vehicle or a vehicle awaiting repairs may be kept, stored or maintained outside such enclosed garage or enclosed building for a period not to exceed in the aggregate ten (10) days out of any sixty (60) day period, for the purpose of procuring parts for such vehicle or completing repairs to the vehicle.

(b) Motor vehicle part means any component of a motor vehicle which has been removed or separated from a vehicle, including but not limited to seats, doors, hoods, fenders, trunk lids, tires, wheels, engines, drive shafts, axles, transmissions, radiators or any other major component of a motor vehicle. **[Amended by Ord 2009-9]**

**(2) EMERGENCY PERMIT.** The City Clerk of the City of Richland Center, Wisconsin is hereby authorized to issue an emergency permit for the parking, keeping, storing, or maintaining of any disabled, inoperable, incomplete or unregistered motor vehicle or part thereof for a period not to exceed ten (10) days upon application in writing filed with his office, which emergency permits shall have the effect of tolling the operation of this chapter for such ten (10) day period as to the vehicle described in such application. Such application shall identify the motor vehicle or part thereof to which it applies in sufficient detail to enable it to be distinguished from other similar motor vehicles or parts thereof. Such emergency permit shall be issued only once for the parking, keeping, storing or maintaining of a specific motor vehicle or part thereof described in any such application, to the same or to any other applicant, for the purposes of procuring parts for such vehicle or completing repairs to the vehicle.

**(3) PENALTY.** Notwithstanding the provisions of Section 101.31 of this Chapter any person, firm or corporation violating subsection (1) of this Section shall upon conviction thereof forfeit to the City of Richland Center not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Dollars (\$200.00), together with the costs of prosecution, and in the event such forfeiture and costs are not paid, may upon order of the Circuit Court be imprisoned in the County Jail of Richland County until such forfeiture and costs are paid, but not to exceed ninety (90) days. The owner, lessee or other person in lawful possession of the premises whereupon such violation takes place shall be liable for the payment

of such forfeiture. Each day that a disabled, inoperable, incomplete or unregistered motor vehicle or part thereof is parked, kept, stored, or maintained contrary to the provisions of this Section shall constitute a separate offense.

## **101.24 REGULATION OF SKATEBOARDS, ROLLER SKATES, ROLLER SKIS AND PLAY VEHICLES.**

(1) It shall be unlawful for any person to operate or ride a skateboard, roller skates, roller skis or any play vehicle as defined in sec. 340.01 Wis. Stats. in any of the following places within the City of Richland Center:

(a) On any City street in the downtown area, which area is defined for purposes of this paragraph as:

1. Mill Street between Jefferson Street and Church Street;
2. Court Street between Jefferson Street and Church Street;
3. Seminary Street between Jefferson Street and Church Street;
4. Church Street between Mill Street and Seminary Street;
5. Central Avenue between Union Street and Seminary Street;
6. Main Street between Union Street and Seminary Street;
7. Jefferson Street between Mill Street and Seminary Street.

(b) On any sidewalk in the downtown area, which area is defined for purposes of this paragraph as:

1. Mill Street between Jefferson Street and Church Street;
2. Court Street between Jefferson Street and Church Street;
3. Seminary Street between Jefferson Street and Church Street;
4. Church Street between Mill Street and Seminary Street;
5. Central Avenue between Union Street and Seminary Street;
6. Main Street between Union Street and Seminary Street;
7. Jefferson Street between Mill Street and Seminary Street.

The foregoing prohibition shall apply to all sidewalks within the right of way of the designated portions of said streets, specifically including both sides of said streets. **[Amended by Ord 2011-4 ]**

(c) In or on any municipal parking lot owned by the City of Richland Center.

(d) On any other public property where signs prohibit such activities.

(e) On any private property, unless permission has been received from the owner or person in lawful possession of such property.

**(2) DUTY TO YIELD TO PEDESTRIANS.** Persons operating or riding on skateboards and persons on roller skates shall yield the right-of-way to pedestrians using City sidewalks, and shall not otherwise endanger or interfere with pedestrian traffic using such sidewalks.

**(3) PENALTY.** Any person who shall violate or fail or refuse to comply with any section of this chapter shall, upon conviction thereof, forfeit to the City of Richland Center not less than \$25.00 nor more than \$100.00, together with the costs of prosecution and any applicable penalty assessment, and in the event such forfeiture, costs and assessment are not paid, such person may, by order of the Circuit Court, be imprisoned in the Richland County Jail until such forfeiture, costs and assessment are paid, but not to exceed 90 days.

## **101.25 REGISTRATION AND REGULATION OF BICYCLES.**

**(1) DEFINITIONS.** As used in this Section:

(a) "Bicycle" means every device propelled by the feet acting upon pedals and having wheels, any two of which wheels are not less than 20 inches in diameter.

(b) "Bicycle lane" means that portion of any roadway set aside for exclusive use of bicycles and so designated by appropriate signs and/or markings by the City of Richland Center.

(c) "Bicycle path" or "Bicycle way" means any path or sidewalk, or portion thereof, designated for the use of bicycles by the City of Richland Center.

(d) "Bike route" means any bicycle lane, bicycle way, street or highway or portion thereof which has been duly designated as such by the City of Richland Center and so identified by appropriate signs and/or markings.

(e) "Carrier" means any device attached to a bicycle designated for carrying articles.

(f) "Identification tag" means a metal plate or sticker indicating that a bicycle is registered.

(g) "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.

**(2) REGISTRATION OF BICYCLES.**

(a) Registration of Bicycles Required. No person who resides within the City of Richland Center shall operate or propel any bicycle or tricycle having at least one wheel which has a rim 20" in diameter or larger upon any public highway, city street, bicycle way or bicycle path within the City which has not been duly registered and an identification tag attached thereto as provided in this Section.

(b) How Registered. Registration shall be made by filing with the Police Department a form provided by the City giving the name, address and age of the owner and a complete description of the

bicycle, including the name of the manufacturer, style, model, frame number, and color, and paying the registration fee.

(c) Registration Fee. The fee for registration of any bicycle or tricycle required to registered shall be four dollars (\$4.00).

(d) Identification Tag. The registering employee or officer shall issue to the registrant a registration slip and an identification tag. The identification tag shall be immediately affixed to the registered bicycle, be serially numbered to correspond with the registration number and shall be firmly attached to the bicycle for which issued and kept visible and clean at all times.

(e) Unsafe Bicycles Not to Be Registered. No bicycle shall be registered which is in an unsafe mechanical condition.

(f) Lost Tags. In the event of theft or loss of an identification tag, a new tag shall be issued for a fee of \$1.00.

(g) Period of Registration. A bicycle registration tag, upon being duly issued, shall remain valid so long as the tag is affixed to the bicycle.

(h) Owner to Register. The Police Department shall not register any bicycle which it knows or has reasonable grounds to believe is not owned by or lawfully in the possession of the applicant.

(i) Change of Ownership. All bicycles and tricycles required to be registered shall be registered within ten (10) days after their date of purchase or the date the bicycle is brought into the City of Richland Center. Within ten (10) days after any bicycle registered as provided herein is sold or transferred to a new owner, the person in whose name the bicycle is registered shall report such information to the Police Department. If the prior registration tag remains affixed to the bicycle and is legible, the new owner may, upon payment of a transfer fee of one dollar (\$1.00), have the existing registration transferred to him/her. If the prior tag is no longer affixed to the bicycle, or is illegible, the Police Department shall thereupon cancel the registration of the bicycle and the new owner, if any, shall be required to obtain a new registration and pay the four dollar (\$4.00) fee.

(j) Junked Bicycles. Within ten (10) days after any bicycle registered as provided herein is dismantled and taken out of operation, the person in whose name the bicycle is registered shall report such information to the Police Department, whereupon the registration of such bicycle shall be canceled.

**(3) RESPONSIBILITY OF PARENT OF GUARDIAN.** No parent or guardian of any child shall authorize, may knowingly permit such child to violate any of the provisions of this chapter or of any ordinance or State law applicable to the registration or operation of bicycles.

**(4) REGISTRATION TO BE DISPLAYED.** The identification tag issued under this Section shall be affixed to the registered bicycle so as to be plainly seen and read and shall remain so affixed until ordered removed by the Police Department for cause, or until expiration of the registration. In the case of theft or loss, a replacement tag shall be issued upon payment of a fee of \$1.00.

**(5) EXEMPTION FROM REGISTRATION.** Any non-resident may operate a bicycle which

is duly registered in any municipality without obtaining local registration if a valid identification tag is attached thereto.

**(6) REMOVAL AND ALTERATION OF IDENTIFICATION TAGS.**

(a) Removal prohibited. No person shall remove an identification tag from a bicycle except when the bicycle is dismantled and no longer operated upon any street, highway or bicycle path within the City of Richland Center.

(b) Alteration Prohibited. No person shall alter or counterfeit any identification tag.

**(7) UNCLAIMED OR UNIDENTIFIED BICYCLES.** All abandoned or unidentified bicycles shall be delivered to the Police Department for storage and all such bicycles remaining in the hands of the Chief of Police at the end of any year shall be sold at auction.

**(8) OPERATING RULES.** No person operating a bicycle upon any highway, bicycle path or bicycle way within the City shall fail to observe all applicable traffic regulations of the municipality and State or to comply with the following regulations:

(a) Carrying Extra Passengers. Bicycle operators shall not use a bicycle, except a tandem, to carry another person; provided, a bicycle operator may carry a child securely attached to his or her person in a back pack or sling and may carry another person on a bicycle if it is equipped with a child's seat securely attached to and properly designed for use on a bicycle.

(b) Stunt or Trick Riding. No person operating or pedaling a bicycle shall participate in any trick or stunt riding or racing on any highway within the City unless such race or contest is held pursuant to permission granted by the authority having jurisdiction over the highway.

(c) Towing with Bicycle. No person riding or operating a bicycle shall tow, drag or cause to be drawn behind the bicycle, any person on roller skates, coaster sled, or any other type of conveyance not designated to be towed by a bicycle.

(d) Obedience To Traffic Control Devices. Any person operating a bicycle shall obey the instructions of official Traffic Control Devices applicable to vehicles unless otherwise directed by a law enforcement officer.

(e) Stopping, Turning and Signaling.

1. Signal Required. No bicycle operator shall suddenly stop, slow down, or turn without giving an arm signal required by State law for the operation of motor vehicles.

2. Prohibited turns. Whenever a Uniform Traffic control Device is erected indicating that no right or left turn, or U-turn is permitted, no person operating a bicycle shall disobey the direction of such Device, except after dismounting from the bicycle to make such turn, in which event said person shall then obey the regulations, ordinances and laws applicable to pedestrians.

3. Right Turns. Every person operating a bicycle intending to turn to the right at an intersection, alley or driveway shall approach the turning point in the line of traffic nearest the right hand curb of the street.

4. Left Turns. Every person operating a bicycle intending to turn left at an intersection or to

enter an alley or driveway shall approach the point of turning in the line of traffic nearest the center of the roadway and shall pass to the left of the center of the intersection before turning unless otherwise directed by Official Traffic Control Devices. At intersections where traffic is moving in the opposite direction, if it is not safe for the operator to make a left turn, the turn shall be made by driving to the opposite corner and then turning left and driving in a normal driving position.

5. Use of Crosswalks. Crosswalks shall be used when walking a bicycle through an intersection.

(f) Speed. No person shall operate a bicycle at a speed greater than is reasonable and prudent under existing conditions or in excess of any posted speed limit.

**(8a) OPERATION OF BICYCLES ON PUBLIC SIDEWALKS.**

(a) Operation of Bicycles on Sidewalks in Downtown Area Prohibited. No person shall operate a bicycle upon a public sidewalk in the downtown area, which area is defined for purposes of this paragraph as:

1. Mill Street between Jefferson Street and Church Street;
2. Court Street between Jefferson Street and Church Street;
3. Seminary Street between Jefferson Street and Church Street;
4. Church Street between Mill Street and Seminary Street;
5. Central Avenue between Union Street and Seminary Street;
6. Main Street between Union Street and Seminary Street;
7. Jefferson Street between Mill Street and Seminary Street.

The foregoing prohibition shall apply to all sidewalks within the right of way of the designated portions of said streets, specifically including both sides of said streets.

(b) Yielding to Pedestrians on Public Sidewalks Outside the Downtown Area. Any person operating a bicycle on any public sidewalk in any part of the City where such operation is not prohibited shall yield the right-of-way to any pedestrian using such sidewalk. **[Added by Ord 2011- 4]**

**(9) BICYCLE PARKING.** No person shall park any bicycle against windows or in the main traveled portion of any sidewalk or highway nor in such manner as to constitute a hazard to pedestrians, traffic or property. 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 24 inches of the curb.

**(10) BICYCLE DEALERS.**

(a) Buyers. Every person engaged in the business of buying second hand bicycles is hereby required to make a monthly report to the Police Department giving the name and address of the person from whom each bicycle is purchased, the name, color, type, size and serial number of each bicycle purchased and the number of the identification tag, if any, found thereon.

(b) Sellers. Every person engaged in the business of selling new or second hand bicycles is hereby required to make a monthly report to the Police Department listing all sales including the name and address of each buyer, a description of the bicycle including the frame number and the number of the

identification tag attached thereto, if any.

**(11) RENTAL AGENCIES.** No person shall rent or offer to rent any bicycles within the City which bicycle is not registered and to which an identification tag has not been attached, as provided herein, or which is not equipped as required by the laws of the State of Wisconsin and this ordinance.

**(12) APPLICABILITY OF REGULATIONS.** Regulations and restrictions contained in this Section are applicable to persons operating bicycles upon any highway, bicycle way, or bicycle path or upon any path set aside for the exclusive use of bicycles except as expressly stated herein.

**(13) PARENTAL RESPONSIBILITY.** The parent of any child and the guardian of any ward shall not authorize or permit any child or ward to violate any of the provisions of this Section.

**(14) PENALTIES.** Every person convicted of a violation of any provision of this Section may be required to surrender their identification tag, in addition to any forfeiture imposed under Sec. 101.31 of this chapter, to the City Police Department or the court for a period not to exceed 30 days.

**(15) ENFORCEMENT.**

(a) Juvenile Offenders Under Age 16. Any offender under the age of sixteen (16) years who shall disregard the rules and regulations governing the operation of bicycles in this Section may be directed to appear before the Juvenile court or Juvenile court Officer who shall dispose of such person's case in the manner prescribed by the Court. Bicycle riders under the age of sixteen (16) years may be issued a special bicycle violation ticket for violation of any of the provisions of the Section. This special ticket must be signed by a parent or guardian and returned to the Police Department by the violator.

(b) Offenders Age 16 and Older. Any person having attained the age of sixteen (16) years may be dealt with in accordance with Sec. 101.32 of this code.

(c) Bicycle Court/Violations School. Violations of this chapter may be formally processed through constitutional and statutory courts or, in the discretion of the Police Department, and in such cases where consent of the violator or parent or guardian of a violator who is a minor is obtained, may be processed by a Special City Children's Bicycle Court and Violators School. Rules of Procedure of such Court and School shall be subject to review by the Common Council of the City of Richland Center. Procedures for appeal from the decisions of the bicycle court shall be provided in the rules established hereunder.

## **101.26 LICENSING AND REGULATION OF TAXICABS AND TAXICAB DRIVERS.**

**(1) LICENSE REQUIRED.** No person shall operate or cause to be operated a taxicab within the limits of the City of Richland Center without having first secured a Taxicab Business License as herein provided.

**(2) DEFINITIONS.** As used in this Section:

(a) "Taxicab" means a motor vehicle having a seating capacity of less than 8 persons, regularly engaged in the business of carrying passengers for hire, not operated on a fixed route and equipped with a taxi meter or similar device by which the fair is mechanically calculated on the basis of distance traveled or waiting time.

(b) "Taxicab Driver" means a person who operates a taxicab as defined in par. (a).

**(3) EXCEPTIONS.** No license shall be required of an owner or driver for operating or driving a taxicab licensed by another municipality for the purpose of delivering passengers to a point within the City nor to persons operating vehicles over regular routes or between fixed terminals, funeral cars, ambulances, vehicles licensed by permit of the Wisconsin Public Service Commission, or rental cars.

**(4) TAXI-CAB BUSINESS LICENSE.**

(a) Application. Application for a taxicab license to operate one or more taxicabs or an application to operate additional taxicabs under an existing license shall be made in writing to the City Clerk upon forms furnished, giving the address from which the business is conducted, and signed by the owner of the business or his duly authorized agent. The application must also state for each vehicle to be operated the make, model and year of manufacture, the engine number, serial number, capacity for passengers, and the Wisconsin State Certificate of Title number and license number.

(b) Public Hearing. The application shall be submitted by the Clerk to the Common Council which shall set a date for a public hearing before the Common Council to examine the public convenience and necessity of granting such a license. The Clerk shall notify the applicant of the time and place set for the hearing, which may be held at a regular or special meeting of the Common Council. The name of the applicant shall be included in the agenda for such meeting or hearing.

**(5) LICENSE FEES; LICENSE YEAR.** The taxicab business license fee shall be \$100.00 per year or any fractional part thereof, except that if a new application is made and at the time of issuance of the license less than one-half of a license year remains, such fee shall be \$50.00. All license years shall end December 31. A full license year shall commence January 1 and end December 31 of the same year.

**(6) INSURANCE.** No taxicab license shall be issued until the applicant deposits with the Clerk a policy of liability insurance covering all vehicles to be included under the license. Such policy shall describe each vehicle by make, model and serial number, number of passengers capable of being accommodated therein at one time and the number of State Motor Vehicle license. Such insurance policy shall be issued by a company licensed to do business in Wisconsin and shall insure against loss from liability in such amounts as the Common council shall from time to time designate.

The policy of insurance shall be approved by the City Attorney as to legal form before it is filed, and shall contain a provision that the same may not be cancelled before the expiration of its term except upon ten days written notice to the City. The cancellation or other termination of any insurance policy issued in compliance with this section shall automatically revoke and terminate all licenses issued for the vehicle covered by such insurance policy, unless another policy shall have been filed and approved pursuant to this Section, and shall be in effect at the time of such cancellation or termination.

**(7) POLICE INSPECTION.** The Police Department shall inspect the mechanical condition of each vehicle for which an application for a license is made and shall make periodic inspections of all licensed vehicles. No vehicle shall be operated, whether licensed or not, as a taxicab if the Police



Department shall find that the mechanical condition thereof makes it unsafe for the carrying of passengers.

**(8) LICENSING OF TAXICAB DRIVERS.** Except as exempted under sub. (3), no person shall operate a taxicab as a taxicab driver within the City without first obtaining a license as herein provided.

(a) Qualifications. A taxicab driver must be at least 18 years of age. No taxicab driver's license shall be issued to any applicant who has been convicted of a felony within the five years prior to filing application unless the Common Council determines that such offense is unrelated to the applicant's competency and qualification for the license, nor to any applicant who is the holder of a State occupational license.

(b) Application. Written application for a taxicab driver's license shall be filed with the Clerk on blanks furnished by the City giving the name, address and age, whether or not applicant has been convicted of a felony, the type of State operator's license issued to applicant, and stating experience and the number of State operator's license.

(c) Fee. The application must be accompanied by a license fee of \$2.00 per year or fractional part thereof.

(d) False Application Statement. The license of any applicant who makes a false statement in his application shall be void and the license be surrendered to the Chief of Police or any member of the Police Department upon demand.

**(9) GENERAL REGULATIONS.**

(a) Identification. All taxicabs shall be suitably marked or identified as such.

(b) Subject to Traffic Regulations. The State traffic code and the city traffic regulations shall apply to the use and operation of taxicabs.

(c) Number of passengers Limited. No taxicab owner or operator shall carry or permit to be carried in any taxicab more than the number of passengers specified on the license applicable to the taxicab.

(d) Operator Not to Drink Intoxicants. No person operating a taxicab shall drink any intoxicating beverage or be under the influence thereof while so engaged.

**(10) REVOCATION.** A taxicab business or driver's license may be revoked by the Common Council for a violation of this Section, of any provision of chs. 340 to 349, Wisconsin Statutes, of any other provision of Chapter 101 of this code or for any offense affecting the safety or welfare of passengers. Such revocation may be for all vehicles or any vehicle included under a license. A taxicab driver's license issued hereunder shall be automatically revoked if the licensee shall be convicted of violation of this code or of any provision of chs. 340 to 348, Wisconsin Statutes, three times within any consecutive twelve month period. The Clerk shall notify the licensee of such a revocation, and the licensee may within 10 days of such notice, in writing, request a hearing on such revocation before the Common Council.

**(11) OFF-STREET PARKING REQUIRED.** Before a license will be issued under this Section, the license must provide adequate off-street parking for the vehicles to be licensed. The location of such off-street parking shall be stated with particularity in the application for a license.

## **101.29 HEAVY TRAFFIC ROUTES. [Added 11-19-2002 by Ord. No. 2002-17]**

**(1) Statement of purpose.** The City of Richland Center has determined that it is in the interest of the welfare of the public to restrict heavy traffic flow in residential areas. It has been determined that numerous large vehicles travel through Richland Center in residential areas. The City desires to establish a truck route to direct through traffic away from residential areas.

**(2) Definition.** For purposes of this section, "heavy traffic" shall be defined as:

(a) All vehicles not operating completely on pneumatic tires; and

(b) All vehicles or combinations of vehicles, other than motor buses, or other recreational vehicles, designed or used for transporting property of any nature, and having a gross weight of more than 12,000 pounds.

**(3) Prohibited routes.** Heavy traffic is prohibited from using any City street or highway not designated as a heavy traffic route. 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. Furthermore, this section shall not act to prohibit heavy traffic from using a City street or highway when necessary for the purpose of leaving or returning to the terminal, or place of garaging, of any such vehicle; provided, however, that when it is necessary for the operator of such a vehicle to travel upon a street not designated as a heavy traffic route, such operator shall leave and reenter such heavy truck routes at the point closest to his immediate destination. This section shall not act to prohibit any emergency equipment from traveling on any City street.

**(4) Administration.** The Chief of Police shall administer this section. Administration shall include:

(a) Posting of signs. Appropriate signs shall be posted, giving notice of this section and of the heavy traffic routes established herein. Yellow signposts may also be used to designate heavy traffic routes.

(b) Maps. Maps of the City showing heavy traffic routes may be prepared and may be available upon request by heavy traffic operators and owners.<sup>1</sup>

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(c) Construction equipment.

1. The Chief of Police, in conjunction with the Superintendent of Public Works, may grant temporary permits to allow heavy construction equipment to use City streets or highways not designated as heavy traffic routes. These permits may be granted only when use of a nondesignated 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.
2. City-owned or -operated equipment is specifically excluded from the provisions of this section.

**(5) 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.

**(6) Streets designated Class B highways.** All streets and highways within the City of Richland Center, Wisconsin, are hereby designated Class B highways and subject to the weight limitations imposed on Class B highways by the Wisconsin Statutes, except that the enumerated highways or parts of highways in Subsection (7) below are designated as heavy traffic routes.

**(7) Location of designated heavy traffic routes.** Designated heavy traffic routes shall be along all of the following roads:

- (a) U.S. Highway 14.
- (b) State Trunk Highway 56/80.
- (c) Sixth Street, between Main Street (State Trunk Highway 56/80) and Orange Street (U.S. Highway 14).
- (d) County Highway N, including East Haseltine Street, to the intersection of South Church Street, north on Church Street to the intersection of East Seminary Street, and west on Seminary Street to the intersection of U.S. Highway 14 (Orange Street).
- (e) County Highway Q, including West Seminary Street to the intersection of U.S. Highway 14 (Orange Street).
- (f) County Highway Y, including West Seminary Street, to the intersection with U.S. Highway 14 (Orange Street).
- (g) County Highway AA, including North Cedar Street to the intersection of East Tenth Street, west on Tenth Street to the intersection of North Park Street, south on Park Street to the intersection of East Eighth Street, and west on Eighth Street to the intersection of State Trunk Highway 56/80 (North Main Street).
- (h) On Industrial Drive, between County Trunk Highway AA and State Trunk Highway 56/80.

**(8) Penalty.** Any person violating the provision of this section shall, upon conviction, pay a forfeiture in the amount of \$25 to \$100, plus costs, fees and surcharges imposed under Ch. 814, Wis. Stats.

### **101.31 PENALTIES [Repealed and recreated by Ord 2003-8]**

**(1) FORFEITURE PENALTY.** The penalty for violation of any provision of this Chapter shall be a forfeiture as hereinafter provided together with the costs of prosecution and the penalty assessment imposed by the pertinent sections of the Wisconsin Statutes, where applicable. Payment of the judgment may be stayed by the sentencing judge for not more than Sixty (60) days. Any person who shall fail to pay the amount of the forfeiture, costs of prosecution and penalty assessment 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. **[As Amended by Ord 2003-8]**

**(2) OTHER SANCTIONS.** 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, or to order the Defendant to submit to assessment and/or rehabilitation or to attend traffic safety school in addition to payment of a monetary penalty or in lieu of such monetary penalty, or in lieu of imprisonment for failure to pay such monetary penalty. **[As Amended by Ord 2003-8]**

**(3) FORFEITURES FOR UNIFORM TRAFFIC OFFENSES.** Forfeitures for violations of any traffic regulation set forth in Wisconsin Statutes and adopted by reference in this Chapter, or imposed for violation of the comparable Wisconsin Statute, including any variations or increases for subsequent offenses, shall be in the amount applicable to such statutory violation, unless a different amount is specifically set forth in this Chapter for such violation. The amounts set forth in the Uniform Wisconsin Traffic Bail Schedule shall be applicable and acceptable as bond by all law enforcement officers enforcing the provisions of Section 101 of this Chapter. This subsection shall not permit prosecution under this Chapter by the City of Richland Center of any offense for which an imprisonment penalty or fine of both may be imposed upon the Defendant. **[As Amended by Ord 2003-8]**

**(4) FORFEITURES FOR OTHER PARKING VIOLATIONS.** The penalty for all other parking violations for which no other penalty is made applicable by other provisions in this chapter, either directly or by reference, shall be a forfeiture of \$6.00, if paid within Five (5) days of the violation, \$8.00 if paid after Five (5) days but within Thirty (30) days of the violation, and \$15.00, if paid more than Thirty (30) days after the date of the violation. **[As Amended by Ord 2003-8]**

**(5) COLLECTION OF FORFEITURES FOR NONMOVING TRAFFIC OFFENSES.** In any appropriate case, the Chief of Police or City Attorney may proceed under Section 346.56 of the Wisconsin Statutes to collect any forfeiture for a nonmoving traffic offense. **[As Amended by Ord 2003-8]**

**(6) PENALTY FOR OTHER VIOLATIONS OF CHAPTER 101.** Any person who shall violate any provision of this Chapter for which a penalty is not established or to which this penalty provision is by reference made applicable, shall forfeit not less than \$10.00 nor more than \$200.00 together with Court Costs and all applicable assessments. [As Amended by Ord 2003-8]

## **101.32 ENFORCEMENT**

This chapter shall be enforced in accordance with the applicable provisions of the Wisconsin Statutes and this section.

**(1) APPLICABLE COURT PROCEDURES.** Except as otherwise specifically provided by the laws of the State of Wisconsin or the provisions of this chapter, the traffic regulations in this Chapter shall be enforced in the Circuit Court for Richland County in accordance with the provisions of secs. 66.12 and 345.20(2)(a) and chap. 299, Wisconsin Statutes, and any other applicable provisions of Wisconsin Statutes.

### **(2) CITATIONS.**

(a) Uniform Citation and Complaint. The Wisconsin Uniform Traffic Citation and Complaint described and defined in the Wisconsin Statutes shall be used for enforcement of all provisions of this Chapter except those provisions which describe or define non-moving traffic violations, moving violations which have no counterpart in the Wisconsin Statutes and violations of sec. 346.71 through 346.73, Wisconsin Statutes. Violations of sec. 346.71 through 346.73, Wisconsin Statutes, 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.

(b) Parking Citations. The Chief of Police shall recommend a form or forms of citations for use in enforcing the non-moving traffic offenses and moving offenses which have no counterpart in the Wisconsin Statutes. When approved by the Common Council such citation shall be used for enforcement of non-moving traffic regulations and moving violations without such statutory counterpart which are created or adopted by this Chapter, including violations of non-moving traffic regulations defined and described in the Wisconsin Statutes, adopted by reference in sec. 101.01 as well as all provisions of secs. 101.09 and 101.10. The citation for non-moving traffic violations shall contain a notice that the person cited may discharge the forfeiture for violation of a non-moving traffic regulation and penalty thereof by complying with sub. (3)(b) of this section. Non-moving traffic citations may be issued by law enforcement officers or by civilian employees of the Police Department.

### **(3) DEPOSITS AND STIPULATIONS.**

#### **(a) Uniform Traffic Offenses.**

1. **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.
2. **Delivery or Mailing of Deposit and Stipulation.** The deposit and stipulation shall be delivered personally by the person cited or mailed to the office of the Richland County Clerk

of Circuit Court or to the Police Department headquarters.

3. Receipt required. 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 within ten days to the Richland County Clerk of Circuit Court.

(b) Non-moving Traffic Offenses.

1. Direct Payment of Penalty Permitted. Persons cited for violation of non-moving traffic offenses described and defined in this Chapter may discharge the penalty therefor and avoid court prosecution by forwarding within 10 days of the issuance of the citation to the Police Department the Minimum penalty specified for the violation. If not so forwarded, the penalty may be discharged by forwarding within 20 days of the date of the citation to the above named Police Department double the amount of the minimum payment. When payment is made as provided in this paragraph, no court costs shall be charged.

2. Court Prosecution. If the alleged violator does not deliver or mail a deposit, as provided in sub. 1., within 28 days after the date of issuance of the citation, the Chief of Police shall forward a copy of the citation to the City Attorney for prosecution pursuant to law, or said Chief may himself proceed under sec. 345.28 Wis. Stats.

3. Deposits Returned to Treasurer. Officers receiving deposits for non-moving traffic violations under this subsection shall pay over such deposits to the City Treasurer within seven (7) days of receipt. Such payment shall be accompanied by an itemized statement for each deposit of the offense charged and the name of the depositor.

## **101.33 REFERENCES TO WISCONSIN STATUTES**

**(1) STATUTES SPECIFICALLY INCORPORATED BY REFERENCE.** Whenever this Chapter incorporates by reference specific sections of the Wisconsin Statutes, such reference shall mean the Wisconsin Statutes of 1977 as from time to time amended, repealed or modified by the Wisconsin Legislature.

**(2) 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.

**(3) DEFINITIONS.** The definition of all words or phrases used in this chapter which are not specifically defined herein shall be those definitions set forth in Chap. 340 of the Wisconsin Statutes

## **101.34 SEVERABILITY**

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

**[Chapter 101 History:** Ord 101-1980, 1983-1, 1984-3, 1984-4, 1986-8, 1986-9, 1987-8, 1987-13, 1988-6, 1988-10, 1988-15, 1989-1, 1989-9, 1989-1,2 1990-1,1 1990-15, 1990-20, 1990-26, 1991-9, 1991-2, 1991-7, 1991-11, 1991-19, 1992-2, 1992-3, 1993-2, 1993-5, 1993-16, 1995-1, 1995-3, 1995-14, 1995-16, 1995-17,1996-3, 1996-10, 1996-12, 1997-6, 1997-22, 1997-25, 1997-32, 1998-3, 1998-10,1999-5,1999-8,1999-12, 2000-1, 2000-4, 2000-13, 2001-3, 2001-4, 2001-5, 2001-8,2 001-18, 2002-1, 2002-5, 2002-6, 2002-9, 2002-10, 2002-13, 2002-14, 2002-17, 2003-5, 2003-08, 2003-11, 2003-13, 2003-17, 2004-3, 2004-6, 2004-9, 2004-13, 2006-02, 2006-11a, 2007-3, 2007-4, 2008-4, 2009-2, 2009-9, 2009-12, 2009-13, 2010-4, 2010-5, 2011-4, 2011-15, 2011-16, 2012-14, 2012-17