

Chapter 8
Traffic Code

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Article I. In General

Sec. 8-01. State traffic laws adopted.

- (1) The statutory provisions following the prefix "8" describing and defining regulations with respect to vehicles and traffic in the following enumerated sections of the Wisconsin Statutes, exclusive of any provisions therein relating to the penalties to be imposed or the punishment for violation of such statutes, are hereby adopted and by reference made a part of this chapter as if fully set forth. Any act required to be performed or prohibited by any statute incorporated in this section by reference is required or prohibited by this chapter. Any future amendments, revisions or modifications of the statutes incorporated in this section 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:

Wis. Stats.

8.110.075	Motor vehicle inspection
8.340.01, 8.341.01, 8.342.01, 8.343.01, 8.344.01, 8.346.01, 8.347.01 and 8.348.01	Words and phrases defined
8.341.04	Penalty for operating unregistered or improperly registered vehicles
8.341.045	Use of registered farm trucks regulated
8.341.05	When vehicle exempt from registration
8.341.07	Certain vehicles to be registered by resident lessee
8.341.08	Application for registration
8.341.11(4)	Display of registration certificates
8.341.15	Display of registration plates
8.341.16(2)	Destruction of illegible plates, issuance of replacement plates
8.341.51	When department to register dealer, distributor, manufacturer or transporter, application
8.341.55	Penalty for misuse of plates
8.341.61	Improper use of evidence of registration
8.341.62	False evidence of registration
8.341.63(3)	Surrender of plates upon suspension
8.342.05	When certificate of title required
8.342.06	Application for certificate of title
8.342.15	Transfer of interest in a vehicle
8.342.16	Transfer to or from dealer
8.342.30(2) and (3)	Assignment and stamping of new identification numbers
8.342.31(2)	Report of stolen or abandoned vehicle
8.342.33	Sale of vehicle used as taxicab
8.342.34	Department to be notified of destruction or junking of vehicle
8.343.05	Operators to be licensed (first offense)
8.343.10	Occupational licenses
8.343.12	School bus operators to obtain special authorization
8.343.18	License to be carried; verification of signature
8.343.19	Duplicate licenses or identification cards
8.343.22	Notice of change of address or name

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8.343.305(2)	Implied consent
8.343.35	Surrender of license upon revocation, cancellation or suspension
8.343.43(1)(d)	Unlawful use of license
8.343.44(1)(a)	Operating while suspended
8.343.45	Permitting unauthorized persons to drive
8.343.46	Duty of persons renting vehicles to others
8.344.45	Surrender of license and registration upon suspension
8.344.46	Transfer of ownership to defeat purpose of chapter
8.344.51 and 8.344.52	Financial responsibility for rented vehicles
8.345.28, 8.345.34, 8.345.35, 8.345.36,	Nonmoving traffic violations procedure
8.345.37	
8.345.55	Traffic officers not to profit from arrests
8.346.02	Applicability of ch. 346
8.346.03	Applicability of rules of the road to authorized emergency vehicles
8.346.04(1) and (2)	Obedience to traffic officer, signs and signals
8.346.05	Vehicles to be driven on right side of roadway; exceptions
8.346.06	Meeting of vehicles
8.346.07	Overtaking and passing on left
8.346.075	Overtaking and passing bicycles and motor buses
8.346.08	When overtaking and passing on right permitted
8.346.09	Limitations on overtaking on left or driving on left side of roadway
8.346.922	Transporting children in cargo areas of motor trucks
8.346.10	When passing at railroad crossing, intersection, bridge, viaduct or tunnel prohibited
8.346.11	Passing or meeting frightened animal
8.346.12	Driving through safety zones prohibited
8.346.13	Driving on roadways laned for traffic
8.346.14	Distance between vehicles
8.346.15	Driving on divided highway
8.346.16	Use of controlled-access highways, expressways and freeways
8.346.18	General rules of right-of-way
8.346.19	What to do on approach of emergency vehicle
8.346.20	Right-of-way of funeral processions and military convoys
8.346.21	Right-of-way of livestock
8.346.23	Crossing controlled intersection or crosswalk
8.346.24	Crossing at uncontrolled intersection or crosswalk
8.346.25	Crossing at place other than crosswalk
8.346.26	Blind pedestrian on highway
8.346.27	Persons working on highway
8.346.28	Pedestrians to walk on left side of highway; pedestrians and bicyclists on sidewalks
8.346.29	When standing or loitering in roadway or highway prohibited

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8.346.31	Required position and method of turning at intersections
8.346.32	Required position for turning into private road or driveway
8.346.33	Where turns prohibited; exception
8.346.34	Turning movements and required signals on turning and stopping
8.346.35	Method of giving signals on turning and stopping
8.346.37	Traffic-control signal legend
8.346.38	Pedestrian control signals
8.346.39	Flashing signals
8.346.40	Whistle signals
8.346.41	Display of unauthorized signs and signals prohibited
8.346.42	Interference with signs and signals prohibited
8.346.44	All vehicles to stop at signal indicating approach of train
8.346.45	Certain vehicles to stop at all railroad crossings
8.346.46	Vehicles to stop at stop signs and school crossings
8.346.47	When vehicles using alley or nonhighway access to stop
8.346.48	Exceptions to stopping and parking restrictions
8.346.50	Exceptions to stopping and parking restrictions
8.346.505	Stopping, standing or parking prohibited in places reserved for vehicles displaying special restriction plates or special identification cards
8.346.51	Stopping, standing or parking outside of business or residence districts
8.346.52	Stopping prohibited in certain specified places
8.346.53	Parking prohibited in certain specified places
8.346.54	How to park and stop on streets
8.346.55	Other restrictions on parking and stopping
8.346.57(2)	Reasonable and prudent speed
8.346.57(3)	Conditions requiring reduced speed
8.346.57(4)(a)—(c)	Fixed speed limits in school or safety zones
8.346.57(4)(d)—(g)	Fixed speed limits
8.346.57(4)(h)	Emergency energy speed limit
8.346.57(4)(i)8.346.57(4)(i)	Speeding in park or recreation area
8.346.57(5)	Zoned and posted speed limits
8.346.58	Special speed restrictions for certain vehicles
8.346.59	Minimum speed regulations
8.346.595	Motorcycles and mopeds
8.346.61	Applicability of sections relating to reckless and drunken driving
8.346.62(1)	Reckless driving (first offense within four years)
8.346.63	Operating under influence of intoxicant or other drug
8.346.66	Applicability of sections relating to accidents and accident reporting
8.346.68	Duty upon striking unattended vehicle
8.346.69	Duty upon striking property on or adjacent to

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	highway
8.346.70	Duty to report accident
8.346.71	Coroners or medical examiners to report; require blood specimen
8.346.72	Garages to keep record of repairs of accident damage
8.346.73	Accident reports not to be used in trial
8.346.77	Responsibility of parent or guardian for violation of bicycle and play vehicle regulations
8.346.78	Play vehicles not to be used on roadway
8.346.79	Special rules applicable to bicycles
8.346.80	Riding bicycle on roadway
8.346.803	Riding bicycle on bicycle way
8.346.804	Riding bicycle on sidewalks
8.346.87	Limitations on backing
8.346.88	Obstruction of operator's view or driving mechanism
8.346.89	Inattentive driving
8.346.90	Following emergency vehicle
8.346.91	Crossing fire hose
8.346.92	Illegal riding
8.346.93	Intoxicants in vehicles; underage person
8.346.935	Intoxicants in motor vehicles
8.346.94	Miscellaneous prohibited acts
8.347.02	Applicability of ch. 347
8.347.03	Sale of prohibited equipment unlawful
8.347.04	Owner responsible for improperly equipped vehicle
8.347.06	When lighted lamps required
8.347.07	Special restrictions on lamps and the use thereof
8.347.08	Determining the visibility distance and mounted height of lamps
8.347.09	Headlamps on motor vehicles
8.347.10	Headlamp specifications for motor vehicles other than mopeds and motor bicycles
8.347.11	Headlamp specifications for mopeds and motor bicycles
8.347.12	Use of multiple-beam headlamps
8.347.13	Taillamps and registration plate lamps
8.347.14	Stop lamps
8.347.15	Direction signal lamps or devices
8.347.16	Clearance lamps and reflectors
8.347.17	Color of clearance and marker lamps and reflectors
8.347.18	Mounting of clearance lamps and reflectors
8.347.19	Visibility of clearance lamps and reflectors
8.347.20	Lamp or flag on projecting load
8.347.21	Lamps and flags on trains of agricultural vehicles
8.347.22	Lamps on farm tractors and self-propelled farm implements
8.347.23	Lamps on highway maintenance equipment
8.347.24	Lamps on nonmotor vehicles and equipment

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8.347.245	Identification emblem on certain slow moving vehicles
8.347.25	Special warning lamps on vehicles
8.347.26	Restrictions on certain optional lighting equipment
8.347.27	When lighted lamps required on parked vehicles
8.347.28	Certain vehicles to carry flares or other warning devices
8.347.29	Display of warning devices for certain vehicles when standing on highway
8.347.35	Brakes
8.347.36	Performance ability of brakes
8.347.38	Horns and warning devices
8.347.39	Mufflers
8.347.40	Mirrors
8.347.41	Speed indicators
8.347.415	Odometer tampering
8.347.42	Windshield wipers
8.347.43	Safety glass
8.347.44	Painting requirements for school buses; restrictions as to painting of other vehicles
8.347.45	Tire equipment
8.347.46	Fenders and mudguards
8.347.47	Drawbars, trailer hitches and mobile home couplings
8.347.48	Safety belts and child safety restraint systems
8.347.485	Protective headgear for use on type 1 motorcycles
8.347.486	General requirements
8.347.487	Seating requirements
8.347.488	Moped equipment
8.347.489	Lamps and other equipment on bicycles and motor bicycles
8.347.49	Equipment of vehicles transporting flammable liquids
8.348.02	Applicability of chapter
8.348.05	Width of vehicles
8.348.06	Height of vehicles
8.348.07	Length of vehicles
8.348.08	Vehicle trains
8.348.09	Projecting loads on side of vehicle
8.348.10	Special limitations on load
8.348.15	Weight limitations on class "A" highways
8.348.16	Weight limitations on class "B" highways
8.348.17	Special or seasonal weight limitations
8.348.175	Seasonal operation for vehicles hauling peeled or unpeeled forest products cut crosswise or abrasives or salt for highway winter maintenance
8.348.18	Weight limitations apply to publicly owned vehicles; exceptions
8.348.185	Empty weight to be indicated on side of certain vehicles; rules

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8.348.19	Traffic officers may weigh vehicles and require removal of excess load
8.348.20	Policy in prosecuting weight violations
8.348.25	General provisions relating to permits for vehicles and loads of excessive size and weight
8.348.26	Single trip permits
8.348.27	Annual, consecutive month or multiple trip permits
8.348.28	Permits to be carried
8.350.01—8.350.19	Snowmobiles
8.941.01	Negligent operation of vehicle

(Code 1982, § 7.01; Ord. No. 988, § 1 (7.011), 2, 8-26-2003)

Sec. 8-01. State traffic laws adopted.

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8.348.02	Applicability of chapter
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8.348.07	Length of vehicles
8.348.08	Vehicle trains
8.348.09	Projecting loads on side of vehicle
8.348.10	Special limitations on load

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8.348.15	Weight limitations on class "A" highways
8.348.16	Weight limitations on class "B" highways
8.348.17	Special or seasonal weight limitations
8.348.175	Seasonal operation for vehicles hauling peeled or unpeeled forest products cut crosswise or abrasives or salt for highway winter maintenance
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8.350.01—8.350.19	Snowmobiles
8.941.01	Negligent operation of vehicle

(Code 1982, § 7.01; Ord. No. 988, § 1 (7.011), 2, 8-26-2003)

Sec. 8-02. Driving after license revoked or suspended.

- (1) No person whose operating privilege has been duly revoked or suspended pursuant to the laws of this state shall operate a motor vehicle upon any highway in this state during such suspension or revocation or thereafter before filing proof of financial responsibility or before that person has obtained a new license in this state including an occupational license, or the person's operating privilege has been reinstated under the laws of this state. No person may operate a commercial motor vehicle while ordered out-of-service under state or federal law. No person may operate a commercial motor vehicle while disqualified as provided in § 343.315 Wis. Stats.
- (2) This section applies only to a person's first act of driving after revocation or suspension, except where the revocation or suspension that is the basis of the violation was imposed solely due to a failure to pay a fine or a forfeiture.
- (3) Refusal to accept or failure to receive an order of revocation or suspension mailed by first class mail to such person's last known address shall not be a defense to the charge of driving after revocation or suspension. If the person has changed his or her address and fails to notify the department as required in § 343.22 Wis. Stats., failure to receive notice of revocation or suspension shall not be a defense to the charge of driving after revocation or suspension.
- (4) In addition to other penalties for violation of this section, if a person has violated this section with respect to a motor vehicle which he or she is the owner, the court may order the vehicle impounded. The court may determine the manner and period of impoundment. The cost of keeping the vehicle constitutes a lien.
- (5) If a motor vehicle impounded under subsection (4) of this section is subject to a security agreement or lease contract, the vehicle shall be released by the court to the lessor or secured creditor upon the filing of an affidavit by the lessor or secured creditor that the security agreement or lease contract is in default and shall be delivered to the lessor or secured creditor upon payment of the accrued cost of keeping the motor vehicle.

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(Code 1982, § 7.015)

Sec. 8-03. Use of sidewalks for certain purposes prohibited.

No person shall drive, back or propel any vehicle on or across any sidewalk in the city except at established intersections, driveways and alleys. This section shall not apply to any maintenance or snow removal operation performed under the direction of the city.

(Code 1982, § 7.16)

Sec. 8-04. Vehicular and pedestrian traffic at airport.

(1) *Definitions.* The following words and phrases are defined as used in this section:

Emergency equipment means crash, fire and rescue or police motor vehicles and such other equipment as the municipal airport manager may designate as necessary to safeguard airport runways, taxiways, ramps, buildings and other property.

Pedestrian means a person afoot.

Service, maintenance and construction equipment means approved equipment normally operated by Marshfield Airways, Inc., a fixed-base operator, and the Federal Aviation Administration on landing areas, runways, taxiways and peripheral roads for the servicing, maintenance and construction of airport facilities and services or for the servicing of aircraft. This includes equipment owned and operated by a contractor performing work on the airport under a contractual agreement with the city.

Vehicle means a device in, upon, or by which any person or property is or may be transported or drawn excepting aircraft.

(2) *Operation of vehicles on runways, taxiways and ramps.* Operation of vehicles on runways, taxiways and ramps shall be in accordance with the following:

(a) *Prohibited.* No vehicle shall enter, be driven upon, or operate upon any airport runway, taxiway, ramp, tie-down area or any area posted by signs prohibiting the entrance thereon.

(b) *Exceptions.* Exceptions shall be as follows:

1. The provisions of this section shall not apply to emergency equipment and service, maintenance and construction equipment when engaged in performing normal duties.
2. Aircraft owners may be granted authorization by the airport manager or his designated representative to operate a vehicle to reach their own aircraft in a tiedown area. Aircraft owners desiring to operate a vehicle for this purpose will request such authorization in advance. Any authorization granted shall apply to only a specific need request. Unless specifically authorized, aircraft owners shall not pass over any runway, taxiway or ramp and shall proceed through such tiedown area at a speed not to exceed ten miles per hour. They shall not at any time park a vehicle on any area used for the movement of aircraft. Such authorization shall not be granted contrary to the provisions of part 139, Federal Aviation Regulations.

(3) *Speed of vehicles.* No vehicle shall be driven upon any road within the perimeter of the airport, or upon other airport areas, in excess of the speed limit posted at the entrance to the airport, or within the

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boundaries thereof if more than one speed limit shall be applicable, nor shall the driver of any vehicle fail to adhere to any sign posted to regulate vehicular traffic on or about the airport.

- (4) *Pedestrian traffic on airport.* No pedestrian shall be allowed beyond the administration area or upon the apron or aircraft tie-down area unless for the purpose of embarking in or disembarking from an aircraft, or unless authorized by the airport manager. There shall be no pedestrian traffic on taxiways, runways and outlying areas of the airport except for those employees of the city, county, state, or federal government or contractors engaged in airport construction or maintenance work.
- (5) *Enforcement and violation.* The airport manager and the police department shall enforce this section, and any person who shall violate any of these provisions shall, upon conviction thereof, forfeit a fine according to section 1-05 of this Code, together with the costs of prosecution, and in default of payment of the forfeiture and costs of prosecution shall be imprisoned in the county jail until the forfeiture and costs are paid, but not exceeding 90 days.

(Code 1982, § 7.20)

Sec. 8-05. Operation of motor vehicles, all terrain vehicles and snowmobiles on city property.

It shall be unlawful for any person to operate a motor vehicle, all terrain vehicle, snowmobile or any other motorized vehicle; as those terms are defined in § 340.01 Wis. Stats. upon public property owned by the City of Marshfield or in the Marshfield public school district other than upon roadways or routes specifically designated for such operation, except for the operation of emergency or maintenance vehicles owned or operated by authorized municipal or school personnel. The director of public works or police chief is hereby authorized to permit the operation of vehicles described in this section, for specific occasions, and then only when they are satisfied that no damage to public property will result from such operations or they deem the operation is an emergency.

(Code 1982, § 7.21)

Sec. 8-06. Official traffic signs and signals.

- (1) *Placement and maintenance.* The director of public works, in cooperation with the chief of police, shall place and maintain appropriate and necessary traffic signs, signals and markings conforming to the requirements of the Wisconsin Department of Transportation and state law.
- (2) *Removal of unofficial signs and signals.* The board of public works shall have the authority granted by § 349.09 Wis. Stats. and shall order the removal of a sign, signal, marking or device placed, maintained or displayed in violation of this chapter or § 346.41 Wis. Stats. The expense of removal may be assessed as a special tax pursuant to § 349.09 Wis. Stats.
- (3) *Intersection control.* The director of public works may prohibit right turn on red or left turns at any intersection where such restrictions are necessary or convenient for traffic safety and control, pursuant to section 8-41.

(Code 1982, § 7.22; Ord. No. 936, § 6, 8-13-2002)

Sec. 8-07. Unnecessary noise prohibited.

No person shall make unnecessary and annoying noise with a motor vehicle by squealing tires, by excessive acceleration of the engine or by emitting unnecessary and loud muffler noises.

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(Code 1982, § 7.23)

Sec. 8-08. Emergency regulations.

The chief of police shall make and enforce regulations necessary to carry out the provisions of this chapter. He is also empowered to make and enforce temporary regulations to cover emergencies or special conditions. Such authority shall include issuance of permits for parking on streets or in other areas otherwise prohibited in the following cases:

- (1) In the case of nonresidents visiting residents of the city overnight where off-street parking would be unreasonably inconvenient or difficult, in the judgment of the chief of police, or designee, but for only three nights in succession.
- (2) Where, in the judgment of the chief of police, or designee, any person has unreasonable difficulty removing his automobile from a street into a private driveway because of an accumulation of snow, ice or other hazardous conditions. This provision shall not apply during a snow emergency.

(Code 1982, § 7.24)

Sec. 8-09. Removal of vehicles.

- (1) *Generally.* Whenever any traffic officer finds a vehicle standing upon a highway, street or alley in violation of a prohibition, limitation or restriction on stopping, standing or parking, he is authorized to have such vehicle moved to a place of safekeeping or to require the operator in charge thereof to move the vehicle to a place where stopping, standing or parking is not prohibited. Removal of the vehicle upon order of a member of the police department shall not relieve the owner or the operator of the vehicle from any penalty incurred because of such violation.
- (2) *Penalties.* Any person whose motor vehicle is removed pursuant to this section shall pay a forfeiture of not less than \$25.00 for the removal, in addition to whatever forfeitures may be imposed for the illegal standing or parking which led to the removal.

(Code 1982, § 7.25)

Sec. 8-10. State forfeiture statutes.

- (1) *Generally.* Any forfeiture for violation of §§ 8.340.01—8.941.01 of the Code shall conform to the forfeiture permitted to be imposed for violation of the statutes adopted by reference, including any variations or increases for subsequent offenses.
- (2) *Local regulations.* Except as otherwise provided in this chapter, the penalty for violation of ss. 8-03, 8-44 and 8-82 of this chapter shall not be less than \$20.00 nor more than \$200.00 for the first offense and not less than \$40.00 nor more than \$500.00 for the second offense in two years.
- (3) *Parking violations.* Forfeitures for parking violations shall be as follows:
 - (a) (a) The forfeitures for the following statutory violations shall be as indicated:

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	<i>Wis. Stats.</i>		<i>Forfeiture</i>	
			<i>Min.</i>	<i>Max.</i>
1.	346.505	Stopping/ standing/parking prohibited in parking spaces reserved for vehicles displaying special registration plates or special identification cards	\$30.00	\$300.00
2.	346.51(1)	Improper parking on/off roadway	5.00	40.00
3.	346.52(1)	Stopping/standing in prohibited areas	5.00	40.00
4.	346.52(2)	Stopping/standing on highway by grade school	5.00	40.00
5.	346.53	Parking/standing where prohibited	5.00	40.00
6.	346.54	Improper parking/ standing of vehicle	5.00	40.00
7.	346.55(1)	Parking on left side of highway	5.00	200.00
8.	346.55(3)	Parking on posted private property	10.00	40.00

Notwithstanding the penalties listed in subsection (3)(a) of this section, any person having a vehicle registered in his/her name which is found to be parked in violation of section 8-77, 8-78, 8-79(2) or 8-80 shall, upon conviction thereof, forfeit not less than \$5.00 nor more than \$50.00, and any person having a vehicle registered in his/her name which is found to be parked in violation of section 8-79(1) shall, upon conviction thereof, forfeit not less than \$5.00 nor more than \$100.00, besides the costs of prosecution, or in default of such payment and costs, may be imprisoned in the city or county jail until such forfeiture and costs are paid, not to exceed five days; provided that such forfeiture shall not be imposed if the offender deposits a sum equal to the minimum forfeiture within 48 hours or a sum double the minimum forfeiture more than 48 hours after the issuance of the citation by the police department for such violation; all such deposits shall be in United States coin or currency. Deposits shall be placed in the envelope provided with the citation and put in the police department boxes located at the police station and throughout the city. The chief of police shall procure and install a reasonable number of such boxes and shall prepare or obtain suitable envelopes to be attached to the citation issued for such violations.

Sec. 8-11. Enforcement.

- (1) *Enforcement procedure.* This chapter shall be enforced according to § 66.0114(1)(a)—(c), chapter 800 and §§ 345.20—345.53, Wis. Stats.
- (2) *Deposit.* Deposits shall be made in accordance with the following:
 - (a) Any person arrested for a violation of this chapter may make a deposit of money as directed by the arresting officer at the police station or at the office of the clerk of court or by mailing the deposit to such places. The arresting officer or the person receiving the deposit shall comply with § 345.26 Wis. Stats. or, if the deposit is mailed, the signed statement required under § 345.26 Wis. Stats. shall be mailed with the deposit. The arresting officer or the person receiving the deposit shall notify the arrested person, orally or in writing, that:
 - 1. If he fails to appear in court at the time fixed in the citation, he will be deemed to have tendered a plea of no contest and submitted to a forfeiture plus costs not to exceed the amount of the deposit; or
 - 2. If he fails to appear in court at the time fixed in the citation, and if the court does not accept the deposit as a forfeiture, he will be summoned into court to answer the complaint.
 - (b) The amount of the deposit shall be determined in accordance with the deposit schedule established by the Wisconsin Judicial Conference and shall include the penalty assessment established under § 757.05(1) Wis. Stats. court costs. If a deposit schedule has not been established, the arresting officer shall require the alleged offender to deposit the forfeiture established by the chief of police, which

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shall include the penalty assessment established under § 757.05(1) Wis. Stats. Deposits for nonmoving violations shall not include the penalty assessment.

- (c) The arresting officer or the person receiving the deposit shall issue the arrested person a receipt therefor as required by § 345.26(3)(b) Wis. Stats.
 - (d) Any accepted deposits or forfeited penalties by the police department shall be delivered to the finance director within 20 days after receipt.
- (3) *Stipulation of no contest.* Any person charged with a violation of this chapter except §§ 8.346.62(1) and 8.346.63(1) Wis. Stats. may make a stipulation of no contest pursuant to § 800.03 Wis. Stats., which shall be received at the police station or the office of the clerk of court within ten days of the date of the alleged violation. Such person shall, at the time of entering into the stipulation, make the deposit required under subsection (2) of this section if he has not already done so. A person who has mailed or filed a stipulation under this subsection may, however, appear in court on the appearance date and may be relieved from the stipulation for cause shown as required in § 800.03 Wis. Stats.

(Code 1982, § 7.31)

Sec. 8-12. Procedure for alternate enforcement of forfeiture recoveries in nonmoving traffic

In addition to all other methods of collecting forfeitures for nonmoving traffic violations (parking violations) provided for in this chapter, if the alleged violator of such a violation fails to pay the amount of forfeiture as provided on the citation issued for such violation, or fails to appear in court within 28 days after the issuance of the citation, the chief of police or his designee may take any or all of the actions authorized under §§ 345.28 and 345.34—345.47 Wis. Stats., inclusive. The additional cost of using the registration program as established under § 85.13 Wis. Stats. shall be assessed against and added to the amount of forfeiture to be paid by the alleged violator, all as authorized by § 345.28 Wis. Stats.

(Code 1982, § 7.32)

Sec. 8-13. Penalty.

All violations of the provisions of this chapter, not enforceable under ss. 8-10, 8-11 and 8-12, are subject to penalties provided at section 1-05 of this Code.

(Code 1982, § 7.30)

Secs. 8-14—8-40. Reserved.

Article II. Operation of Vehicles

Sec. 8-41. Traffic and parking controls.

- (1) The director of public works, in coordination with the chief of police, shall maintain the Administrative Code of Traffic and Parking Regulations for the City of Marshfield, to include the establishment of traffic control signage and the establishment and enforcement of speed limits, parking and through-street designations, heavy traffic routes, one-way street and alley designations, and all other necessary and

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convenient regulations for the control of traffic in and about the City of Marshfield, and including parking limitations.

- (2) All additions, deletions or amendments to the Administrative Code of Traffic and Parking Regulations shall be submitted to the board of public works for review and approval, subject to the further review and approval of the council. Upon approval of the board of public works, and concurrence of the council, such additions, deletions or amendments to the Administrative Code of Traffic and Parking Regulations shall become enforceable, and violations of such code shall be deemed a violation of the Municipal Code, subject to penalties as provided in this chapter of the Municipal Code.

(Code 1982, § 7.02)

Sec. 8-42. Heavy traffic routes.

- (1) *Prohibited.* No person shall operate any vehicle within the classification of heavy traffic as defined by § 349.17(2) Wis. Stats. over any street except those designated in the administrative code of traffic and parking regulations, unless such person has first been issued a permit by the city engineer's office, and such operation shall be limited to such routes, length of time, and other conditions as are set forth in such permit. The city engineer's office shall notify the police department as to the details of any such permit issued. This section shall not be construed as prohibiting the ordinary use of any street for the purpose of obtaining commodities to or from any place of business or residence fronting on such street. For the purpose of this section, the definition of "commodities" shall exclude waste construction materials consisting of fill soil, concrete, bituminous concrete, broken pavement, trees, or brush; and shall also exclude demolition materials including bricks, building stone, wood, masonry, roofing, siding, and plaster.
- (2) *Special or seasonal weight limits.* The director of public works may impose special or seasonal weight limits to prevent injuries to the roadway of any highway, bridge or culvert within the jurisdiction of the city or for the safety of users of such highway, bridge or culvert, and shall be responsible for erecting signs giving notice thereof in accordance with § 349.16 Wis. Stats.
- (3) *Exceptions.* This limitation on the weights of vehicles shall not apply to authorized emergency vehicles as defined in § 340.01 Wis. Stats. or city-owned motor vehicles while engaged in work off designated heavy traffic routes or to those vehicles providing local service on designated heavy traffic routes.
- (4) *Penalty.* Any person who violates any of the provisions of this section shall, upon conviction thereof, be subject to the penalty provided in section 1-05 of this Code.

(Code 1982, § 7.11; Ord. No. 936, § 1, 2, 8-13-2002)

Sec. 8-43. One-way streets and alleys.

When necessary or convenient for traffic safety and control, the director of public works may designate public streets or alleys as one-way, pursuant to section 8-41, and upon any streets or alleys so designated and posted, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the specific direction is exhibited.

(Code 1982, § 7.12; Ord. No. 936, § 1, 2, 8-13-2002)

Sec. 8-44. School buses and school crossing guards.

- (1) *Signal required.* Pursuant to the authority granted by § 349.21 Wis. Stats. it is required that school bus operators operating in the residence or business district, when pupils or other authorized passengers are to

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be loaded or unloaded at a location at which there are no crosswalks or traffic signals, and such persons must cross the street or highway before being loaded or after being unloaded, shall actuate red flashing warning lights before stopping to load or unload pupils or other authorized passengers, and such lights shall not be extinguished until loading or unloading is completed and persons who must cross the highway are safely across.

- (2) *Compliance with school crossing guard.* All persons shall comply with any lawful order, signal or discretion of a member of a school crossing guard when in the course of their regular duties. No operator of a motor vehicle shall fail or refuse to stop for a crossing guard when, in the performance of his duties, he directs by use of sign or signal.
- (3) *Required stop for school bus flashing red lights.* No operator of a vehicle which approaches the rear or front of a school bus which has stopped on a street or highway and which is displaying flashing red warning lights shall proceed until having stopped his vehicle not less than 20 feet from the bus and having remained stopped until the bus resumes operation or until the operator extinguishes the flashing red signal lights.

(Code 1982, § 7.13)

Sec. 8-45. Crosswalks.

The board of public works shall establish and designate and thereafter maintain, or cause to be maintained by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where there is particular danger to pedestrians crossing the roadway, and at such other places as it may deem necessary.

(Code 1982, § 7.14)

Sec. 8-46. Compression brakes.

- (1) *Prohibition.* No person shall use motor vehicle brakes within the City of Marshfield which are in any way activated or operated by the compression of the engine of any motor vehicle or any unit or part thereof.
- (2) *Exception.* It shall be an affirmative defense to prosecution under this section that the compression brakes are necessary for the protection of persons and/or property.

(Code 1982, § 7-33)

Sec. 8-47. Disorderly conduct with a motor vehicle.

No person shall, within the City of Marshfield, on public or private property, by or through the use of a motor vehicle, motorcycle, snowmobile, minibike, ATV or any other motorized vehicle, engage in violent, dangerous, abusive, unreasonably loud or otherwise disorderly conduct, including but not limited to unnecessary, deliberate or intentional: spinning of wheels, squealing of tires, revving of the engine, blowing of the horn, causing the engine to backfire, causing the vehicle in motion to raise one or more of its wheels off the ground or causing the vehicle to otherwise be operated in an erratic or dangerous manner under circumstances which tend to cause or provoke a disturbance.

(Ord. No. 989, § 1 (7.26), 8-26-2003)

Sec. 8-48. Use of Mobile Telephones Restricted

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- (1) Purpose. The purpose of this Section is to establish regulations regarding the use of mobile telephones while operating a motor vehicle in the City of Marshfield. It is the position of the City of Marshfield that the use of mobile telephones while operating a motor vehicle on the public roadways may cause the operator to maintain less than full time attention to the operation of said motor vehicle. The City of Marshfield further believes that the regulation of the use of mobile telephones while operating a motor vehicle in the City of Marshfield will enhance the safety of those persons operating motor vehicles as well as other drivers, passengers, pedestrians and the general populace.
- (2) Definitions. Unless the context specifically and clearly indicates otherwise, the meaning of terms used in this Section shall be as follows:
 - (a) "Mobile Telephone" includes, but shall not be limited to, cellular, analog, wireless and digital telephones. Mobile Telephone shall not include HAM radios operated by licensed individuals with the "Amateur Radio Plate" and CB radios.
 - (b) "Use" means to use a Mobile Telephone in:
 1. Dialing
 2. Answering
 3. Talking
 4. Listening
 5. Texting or otherwise manipulating controls of a Mobile Telephone
 - (c) "Park Position" means (i) for an automatic transmission vehicle that the vehicle is in the Park gear or (ii) for a standard transmission vehicle that the vehicle is in the neutral gear and the brake is being utilized.
- (3) Uses, Restrictions.
 - (a) No person shall operate a motor vehicle on any street or highway while engaging in any conduct defined as the "Use" of a Mobile Telephone unless the operator maintains both hands on the applicable steering device.
 - (b) Paragraph (a) of this Section shall not apply to a person who is using the Mobile Telephone:
 1. To contact public safety personnel; or
 2. While maintaining the vehicle in the Park Position either on public or private property; or
 3. With a "hands-free device" which allows the operator to use both hands to operate the vehicle while using the Mobile Telephone.
- (4) Exceptions.
 - (a) The provisions of this Section shall not apply to law enforcement personnel or operators of emergency vehicles when on duty and acting in their official capacities.
 - (b) The use of emergency 911 phone numbers shall not be prohibited for any person operating a motor vehicle in the City of Marshfield.
- (5) Procedure Upon Violation. Anyone who shall violate the provisions of this Section, in addition to any other violation of the Wisconsin Motor Vehicle Code and to the extent that such violations occurred, shall, upon conviction thereof, forfeit not more than Seventy Five Dollars (\$75.00).

Sec. 8-49. Neighborhood Electric Vehicles

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- (a) "Neighborhood Electric Vehicles" (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 572.3(b) and 571.500. "NEV" does not include an electric golf cart.
- (b) NEV's shall be 4-wheeled and have a maximum speed range of at least 20 miles per hour and not more than 25 miles per hour on a paved surface and have a gross vehicle weight of less than 3,000 pounds.
- (c) Permitted Users. To use an NEV on City streets as set forth in (4) below, the individual must have a valid driver's license.
- (d) Permitted Use of NEV's on City Streets. A Permitted User may operate an NEV on the streets of the City of Marshfield having a posted speed limit of 35 miles per hour or less. Headlamps must be on during operation.
- (e) Operation of NEVs. The operation of NEV's shall in all respects comply with Section 8.01 - 8.110 of the City of Marshfield Municipal Code.
- (f) License. NEV's shall be licensed by the State of Wisconsin Department of Transportation and the license shall be issued to the owner of the vehicle.
- (g) Enforcement. Enforcement of this ordinance regulating the use of NEV's within the City shall be pursuant to Section 8-11 of the City of Marshfield Municipal Code.
- (h) Operation of NEVs is prohibited in those locations designated on the map attached to this ordinance.

(Ord. No. 1131, § 1, 8-26-2008)

Article III. Stopping, Standing and Parking

Sec. 8-76. School hours.

For purposes of this chapter, school hours are defined as being the hours between 7:30 a.m. and 4:00 p.m., Monday through Friday inclusive.

Sec. 8-77. Parking lot regulations.

- (1) *Jurisdiction.* Jurisdiction over parking lots shall be as follows:
 - (a) The Board of Public Works shall be ultimately responsible for the construction, reconstruction, development, maintenance and operation of the municipal parking lots in the City of Marshfield and shall have the further responsibility of providing any onstreet parking which may be necessary or advisable, all of such responsibility and authority to be, however, subject to the final approval of the council.
 - (b) The enforcement of all parking regulations, presently in force or subsequently enacted, shall be under the direction of the police department.
- (2) *Municipal parking lots.* Parking in municipal parking lots shall be in accordance with the following:

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- (a) Hours of operation. All municipal parking lots in the City of Marshfield, except the municipal lot at the Marshfield Municipal Airport, shall be unmetered parking lots, and the parking therein shall be as provided in subsection (2)(b) of this section.
- (b) Unmetered lots. Parking in the lots described in subsection (2)(a) of this section shall be limited to three hours between 8:00 a.m. and 6:00 p.m. daily, except that parking stalls immediately adjacent to Second Street in the so-called post office lot at 201 South Chestnut Avenue shall be limited to 15 minutes. Overnight permit parking in the municipal lots shall be subject to the overnight parking restrictions set forth in section 8-79, except that the board of public works may establish overnight permit parking spaces with approval of the council. Such overnight permit parking spaces shall be designated by appropriate signs or other markings as overnight permit parking spaces. Daytime permit parking spaces shall be established by the board of public works with approval of the council and shall be designated by appropriate signs or other markings as daytime permit parking spaces. Fees for daytime and overnight parking permits shall be established by the board of public works with approval by the council. All permits shall be issued by the police department with all fees collected to be submitted to the finance director. The following table identifies the number of permits allowed for each municipal lot:

<i>Lot Address</i>	<i>Also Known As</i>	<i>Day Permits Allowed</i>	<i>Night Permits Allowed</i>
108 East Veterans Pkwy		0	0
106 South Maple		15	6
208 South Maple Avenue	Old City Hall	17	5
308 South Maple Avenue	Sears	14	10
408 South Maple Avenue	Theater	Unlimited	5
111 South Maple Avenue	Library	20	5
111 South Chestnut Avenue	Charles Apts.	Unlimited	14
201 South Chestnut Avenue	Post Office	0	5
408 South Chestnut Avenue	West 5th Street, Associated Bank	Unlimited	5
109 West 6th Street	West 6th Street, Heinzen Printing	Unlimited	5
109 West 5th Street	West 5th Street, Baltus	5	5

The limitations contained in the first sentence of this subsection shall not apply to persons to whom a complimentary parking permit has been issued by the chief of police or his designee.

(Code 1982, § 7.05; Ord. No. 1054, § 1, 7-12-2005; Ord. No. 1134, § 1, 8-12-2008)

Sec. 8-78. Parking in public places.

- (1) *Generally.* No person shall park any vehicle in public parks or public grounds belonging to the city, except in designated parking places, or park or allow any vehicle to stand in any park or public grounds in the city whether occupied or unoccupied between the hours of 2:30 a.m. and 6:00 a.m.; provided that on nights when there are dances in the Wildwood Station or other entertainments or special programs in the parks or public grounds, cars may be parked in designated parking places until such dances or other programs or entertainments are over. This section shall not apply to vehicles of bona fide campers in the public campgrounds within the city, but shall apply to parking in terraces as defined in section 13-37(1) of this Code.

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- (2) *City parking areas.* No person shall park any vehicle, trailer, mobile home or other similar object on the city-owned property adjoining the city garage on the east, west and north sides. This shall not apply to:
- (a) City-owned vehicles.
 - (b) Other vehicles owned by any person who is transacting business at the city garage.
 - (c) Vehicles owned by city employees when parked in designated areas.
- (3) *Parking for the handicapped.* Parking for the handicapped shall be in accordance with the following:
- (a) *Definitions.* As used in this subsection, the words and phrases used shall be as defined below:
 - 1. Disabled person means any person disabled by paraplegia, amputation of leg, foot or both hands or if he is disabled by loss of use of a leg, foot or both hands, minimum faulty vision of 20/200 or other conditions certified by the Veterans' Administration or by a physician duly licensed to practice medicine in the state, resulting in an equal degree of disability (specifying the particular condition) so as not to be able to get about without great difficulty.
 - 2. Other privileged person means a licensed driver upon whom a disabled person is regularly dependent upon for transportation or any employer who provides an automobile or motor home, whether owned or leased by him, for an employee's use, who is in possession of a statement from a physician duly licensed to practice medicine, certifying that the dependent person or employee is a disabled person as defined in subsection (3)(a)1 of this section.
 - (b) *Parking exemptions.* The time limitations imposed by this chapter on parking in any street or highway zone or parking lot, whether owned or leased by the city, of one-half hour or more, shall not apply to automobiles or motor homes described as follows:
 - 1. Bearing special registration plates issued under § 341.14(1)(la), (lm) or (lq) Wis. Stats.
 - 2. Bearing upon its visor or other visible location a special identification card for the physically disabled issued under § 343.51 Wis. Stats. Permits which have been issued by the Marshfield Police Department in the past shall continue to be valid for use only in the City of Marshfield until they expire, which shall not be more than three months following the effective date of the ordinance from which this section derives. Application for such special identification cards shall be on forms prescribed by the Wisconsin Department of Transportation, and shall be available at the Marshfield Police Department.
 - (c) *Width of parking spaces in lots.* The director of public works or his designee shall designate two spaces in each municipal parking lot, whether owned or leased, for the parking of disabled persons or other privileged persons as defined in this subsection. Each space shall comply with Americans with Disabilities requirements.

(Code 1982, § 7.06)

Sec. 8-79. Parking upon City streets and City owned lots

- 1) *Street Parking Prohibited.*
- a) *May 1st through October 31st.* When signs have been erected at, or reasonably near, the corporate limits of the city, as provided by § 349.13 Wis. Stats., informing motorists that parking limitations exist, , motor vehicles will be allowed to park as follows unless otherwise signed.

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On ditched or unimproved streets: during odd calendar months (May, July, September), vehicles will be allowed to park on the odd (north and east) sides of the streets. On even calendar months (June, August, October) vehicles will be allowed to park on the even (south and west) sides of the street.

Parking on curbed streets and the bulb portion of cul-de-sac streets shall be allowed on both sides unless otherwise signed.

Trailers, boats, vehicles, or any vehicle accessory or attachment which is not self-propelled shall not be parked overnight (2:30 AM to 6:00 AM) on any city streets or municipal parking lot. Trailers, boats, vehicle accessories and/or attachments affixed to a motor vehicle, shall be subject to the restrictions within this section and limited to one forty-eight hour time period after which time, the trailer, vehicle, accessory or attachment must be removed.

b) November 1st through April 30th. All regulations as stated in 8-79 (1) listed above shall apply with the following exceptions:

No person shall park any vehicle on any street in the city between the hours of 2:30 AM and 6:00 AM except emergency vehicles and physicians on an emergency call, and except as permitted pursuant to Section 8.08 of this Code.

2) *City-owned lots.* No person shall park any vehicle on any city-owned parking lot between the hours of 1:00 a.m. and 6:00 a.m. of any day, or 2:00 a.m. and 6:00 a.m. of any day during daylight saving time, except as follows:

(a) Those spaces in each city-owned lot as designated by the board of public works if a permit has been issued for such spaces as provided in section 8-77(2) of this Code.

(b) Those spaces in each city-owned lot as designated by the board of public works.

3) *Snow emergency.* This section does not apply in the event a snow emergency is declared pursuant to section 13-35(3).

(Code 1982, § 7.07; Ord. No. 1174, § 1, 2-9-2010; 1242 03/12/13)

Sec. 8-80. Parking type.

Parking on streets shall comply with § 346.54 Wis. Stats. On those streets which have been designated for angle parking, vehicles shall be parked at the angle to the curb indicated by appropriate marks or signs, provided that no part of any vehicle, its contents or load shall extend beyond the limits designated for such parking. The following areas are designated for angle parking:

(1) On West Blodgett Street between Chestnut Avenue and Walnut Avenue.

(2) On the south side of West Depot Street between Central Avenue and Chestnut Avenue.

(Code 1982, § 7.08; Ord. No. 955, § 1, 12-18-2001)

Sec. 8-81. Safety zones and loading zones; specific parking permits.

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- (1) *Established.* The board of public works shall establish safety zones and loading zones of such kind and character and at such places as it deems necessary for the protection of persons using the public streets. The board of public works may, in coordination with the chief of police and director of public works, also issue parking permits for such other specific purposes and at such places as it deems reasonable and necessary.
- (2) *Marking.* The board of public works shall require the director of public works to mark lanes for traffic on street pavements at such places as it may deem advisable, consistent with the provisions of this section.
- (3) *Restricted parking zones.* The board of public works may establish restricted parking zones to prohibit parking any vehicles except passenger automobiles in the parking space on each side of any street or alley where parking stalls are marked.

(Code 1982, § 7.15)

Sec. 8-82. Bus and taxicab parking.

No operator of any bus or taxicab shall stand or park upon any street in any business district at any place other than at a bus stop or taxicab stand, respectively, except that the operator of such vehicle shall temporarily stop in accordance with other parking regulations at any place for the purpose of and while actually engaged in loading or unloading passengers. Bus and/or taxicab stands may be designated by the board of public works, with the concurrence of the chief of police.

(Code 1982, § 7.18)

Secs. 8-83—8-110. Reserved.

Article IV. Bicycles and Skating

Sec. 8-111. Regulation of bicycles.

In addition to the requirements contained in § 347.489 Wis. Stats. adopted by reference in section 8-01 of this chapter, the following regulations will apply to bicycles:

- (1) *Generally.* Except as herein provided, it shall be unlawful for any person to operate a bicycle upon any street in the City of Marshfield unless the bicycle is registered and tagged, as set forth in this section. This subsection shall apply to all residents of the City of Marshfield and to such nonresidents who operate bicycles upon the streets of the City of Marshfield habitually or frequently either in going to work or for other purposes, but shall not apply to casual travelers or tourists passing through the city on their bicycles.
- (2) *Registration.* Upon acquisition of a bicycle, registration and reregistration shall be made by filing with the police department the name and address of the owner, together with a complete description of the bicycle, on forms provided by such department, as a public record. The registration fee shall be as set forth in subsection (3) of this section. Upon such registration the department shall cause an identification tag to be affixed to the bicycle, serially numbered to correspond to the registration number. Such tag shall remain affixed to the bicycle unless removed by the department for cause or for retagging upon reregistration.
- (3) *Term, fee.* Registration shall be for a period of five years, commencing January 1, and shall be renewed at the end of each five-year period. The registration fee shall be \$5.00 for the five-year period. All such registrations shall expire on December 31 of the applicable five-year period, and all bicycles shall be reregistered in the same manner and for the same fee as the registration commencing at the beginning of the

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prior five-year period. In case of theft or loss of the registration tag, a duplicate shall be issued for a fee of \$5.00. No person shall willfully remove, deface or destroy any such identification tag.

- (4) *Right-of-way.* No person shall ride or propel any bicycle upon any part of any public street, highway, boulevard, sidewalk or alley in such a manner as to interfere with the rights of other persons using such street, highway, boulevard, sidewalk or alley, or in any other than a careful and prudent manner.
- (5) *Speed.* No bicycle shall be ridden upon any public street, highway, boulevard or alley at a speed faster than is reasonable and proper for traffic conditions at the time, and every bicycle shall be operated with due regard to the safety of the operator and others upon the streets, highways, boulevards and alleys of the city.
- (6) *Rules of the road.* Persons riding or propelling bicycles shall observe all traffic signs and signals and stop when and as required by such traffic signals and signs, shall signal for all turns and stops, ride at the right-hand side of the street or highway as near as may be to the street curb, pass to the left when passing vehicles or bicycles which are slower moving and on the right side when meeting. No person shall operate a bicycle upon any public street, highway, boulevard or alley abreast of or to the left of another person operating a bicycle except while passing such bicycle.
- (7) *Hours of operation.* No person under the age of 12 shall operate a bicycle upon any public street, highway, boulevard or alley between the hours of 9:00 p.m. and 5:00 a.m.
- (8) *Method of operation.* It shall be unlawful to operate a bicycle without at least one hand on the handlebars.
- (9) *Sidewalk operation.* It shall be unlawful for any person to operate a bicycle on any sidewalk in the City of Marshfield, except as provided by the Administrative Code of Traffic and Parking Regulations, and then only if operated with due care and caution.
- (10) *Penalties.* Penalties for violation of this section shall be as follows:
 - (a) Any person over the age of 15 years who shall violate the provisions of this section shall, upon conviction thereof, pay a forfeiture as prescribed by section 1-05 of this Code, plus the costs of prosecution. The maximum forfeiture shall not exceed the maximum forfeiture provided by the applicable Wisconsin Statute.
 - (b) Persons of the age of 14 and 15 years who shall violate the provisions of this section shall be ordered to appear in Marshfield Municipal Court and shall pay a forfeiture as prescribed by section 1-05 of this Code, except that the maximum shall not exceed the maximum permitted by the applicable Wisconsin Statute. Jurisdiction of offenses defined in this subsection shall be in the Marshfield Municipal Court of Wood County, Wisconsin.
 - (c) Parents or legal guardians of persons under the age of 14 years shall be held responsible for such child's violations of the provisions of this section as provided in § 346.77Wis. Stats. and, in the event of a conviction of such child for a violation of the provisions of this section, shall pay a forfeiture as provided by section 1-05 of this Code. The forfeiture, in any event, shall not exceed the maximum set forth in the applicable Wisconsin Statute.

(Code 1982, § 7.19; Ord. No. 936, § 3, 4, 8-13-2002)

Sec. 8-112. Regulation of skateboards, inline skates (roller blades and roller skis) and roller skates.

All on-street operation of skateboards, inline skates (roller blades and roller skis) and roller skates shall be conducted as far to the right of the traffic lane as possible, in a single file and flowing with traffic. All operations of these skateboards, inline skates and roller skates shall be during daylight hours unless the operator has a white light showing to the front and is wearing some type of reflective clothing or reflective strips on his/her clothing which can be seen from a distance of 500 feet to the rear and side. Further, all operation shall be consistent with rules of the

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road established for bicycles. Skateboards, inline skates and roller skates shall be allowed on all city streets and sidewalks except as provided by the Administrative Code of Traffic and Parking Regulations.

(Code 1982, § 7.191; Ord. No. 936, § 3, 4, 8-13-2002)

Secs. 8-113—8-140. Reserved.

Article V. Snowmobiles

Sec. 8-141. Operation.

- (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 state statutes and section 8-01 of this Code are hereby adopted by reference and made part of this section as if fully set forth in this section. Acts required to be performed or prohibited by such statutes are required or prohibited by this section.
- (2) *Applicability of rules of the road to snowmobiles.* The operator of a snowmobile upon a roadway shall, in addition to the provisions of chapter 350 Wis. Stats., be subject to §§ 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) and (9) Wis. Stats.
- (3) *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 incapable by reason of age, physical or mental disability, or is under the influence of intoxicating liquor, fermented malt beverages or controlled substances.
- (4) *Written consent of owner required.* The consent required under § 350.10(1)(f) Wis. Stats. 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 person, the consent of each shall be obtained.
- (5) *Routes designated.* Except as provided in §§ 350.02 and 350.03 Wis. Stats., no person shall operate a snowmobile upon any public right-of-way, in any public park or on any other public property in the city except on marked routes, trails, or areas as are authorized and designated in the Administrative Code of Traffic and Parking Regulations, except operation of snowmobiles on public streets is authorized when the operator is proceeding directly to or from an otherwise approved route and that distance does not exceed ten city blocks. Snowmobiles operating on public streets shall operate on the extreme right side of the roadway, to the extent possible.
- (6) *Speed.* No person shall operate a snowmobile within the city in excess of 15 miles per hour on those routes designated in subsection (5) of this section.
- (7) *Hours of operation.* No person shall operate a snowmobile within the city between 12:30 a.m. and 9:00 a.m.
- (8) *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.

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(9) *Operation on sidewalks or malls prohibited.* No person shall operate a snowmobile on any sidewalk, pedestrian way or mall within the city.

(10) *Operation on private premises restricted.* No person shall operate a snowmobile on any private property within the city not owned or controlled by him without the express permission of the owner.

(Code 1982, § 7.21; Ord. No. 936, § 5, 8-13-2002)