

Chapter 10.04

TRAFFIC LAWS ADOPTED

Sections:

10.04.010 State traffic laws adopted.

10.04.020 Speed limits.

10.04.030 Authority to erect and maintain stop signs.

10.04.040 Parking.

10.04.045 Traffic regulation/signage.

10.04.050 Nonmoving violation and registration program.

10.04.060 Restricted parking zones at White Oak Park, beach and boat launch.

10.04.010 State traffic laws adopted.

A. Except as otherwise specifically provided in this title, all provisions of Chapters 340 to 348, Wis. Stats., describing and defining regulations with respect to vehicles and traffic for which the penalty is a forfeiture only, including penalties to be imposed and procedures for prosecution, are adopted and by reference made a part of this title as if fully set forth in this chapter. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this title. Any future amendments, revisions or modifications of statutes incorporated herein are intended to be made part of this title in order to secure uniform statewide regulation of traffic on the highways, streets and alleys.

B. In addition to the sections of the Wisconsin Statutes previously adopted, there is also adopted in its entirety WAC Chapter Trans. 305, entitled "Standards for Motor Vehicle Equipment," and as it may be amended from time to time. (Prior code § 7.01)

10.04.020 Speed limits.

A. State Speed Limits Adopted. The provisions of Sections 346.57 and 346.59, Wis. Stats., relating to the maximum and

minimum speed of vehicles are adopted as part of this section as if fully set forth.

B. Speed limits for town streets and highways may be established by resolution of the town board.

C. Modified Speed Limits Adopted. Wherever, pursuant to powers specified in Section 349.11, Wis. Stats., the State Department of Transportation with respect to the State Trunk Highway system, and wherever pursuant to the powers specified in Section 349.11, Wis. Stats., the Racine County board with respect to the highways under its jurisdiction, shall determine, upon the basis of an engineering and traffic investigation, that the speed limits established by Section 349.11, Wis. Stats., are not reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a highway, and the State Department of Transportation or the Racine County board as the case may be, has determined and declared a different speed limit at such location and has posted such areas and has indicated by appropriate signs the speed limits, such speed limits thereby determined and established are declared to be the speed limits of such areas under this chapter, and such speed limits are adopted by reference as a part of this chapter. (Editorially amended during 2001 codification; prior code § 7.03(1) and (3))

10.04.030 Authority to erect and maintain stop signs.

The town highway department is authorized and directed to procure, erect and maintain official stop signs conforming to the rules of the State Department of Transportation at such intersections. (Prior code § 7.04(2)(e))

10.04.040 Parking.

A. For the purpose of this section, a "residence district" is defined as a territory

where the frontage on such highway for a distance of three hundred (300) feet or more is mainly occupied by dwellings or dwellings and buildings in use for business.

B. For the purpose of this section, a "business district" is defined as a territory contiguous to a highway where fifty (50) percent or more of the frontage thereon for a distance of three hundred (300) feet or more is occupied by buildings in use for business.

C. Whenever any traffic officer finds a motor vehicle standing upon any highway in violation of any provision of this section, he is authorized to require the operator in charge to remove such vehicle to a position where parking is not prohibited. If the motor vehicle is unattended and the traffic officer is unable with reasonable diligence to ascertain the whereabouts of the driver or owner, he may cause the removal of such vehicle to a position where parking is permitted, or to either private or public parking or storage premises. The cost of such removal and the cost of storage shall be charged to the owner of the vehicle and shall be in addition to any forfeiture imposed as a penalty.

D. No person shall park or leave standing any vehicle as defined in this chapter, upon any highway within the town between two a.m. and six a.m. of each day without the prior consent of the police department.

E. No person shall park or leave standing any vehicle as defined in this chapter, in any area surrounding the Town Hall that is clearly designated as a "no parking" area by appropriate signs, which areas shall be designated, from time to time, as deemed appropriate by the police department.

F. Both the owner and operator of a vehicle shall be responsible for compliance with the provisions of this section, and the forfeitures and penalty provisions shall apply to the registered owner of a vehicle

parked in violation of this section when, with reasonable diligence, it is impossible to ascertain the actual operator of the vehicle.

G. The town board is empowered to prescribe a bond schedule for the events as set forth in this section and the chief of police is empowered to accept the posting of such bond in compliance with the schedule in lieu of court appearance.

H. No vehicle defined by Wis. Stats. Chapter 340 as a truck or trailer having a gross weight of eight thousand (8,000) pounds or more, shall be parked at any time on any street or portion of any street situated in a zoned residential area in the town. (Ord. dated 1/12/06; Ord. dated 11/11/85; prior code § 7.02(1), (2) and (5)--(10))

10.04.045 Traffic regulation/signage.

The town of Burlington and the town of Burlington highway department are authorized and directed to erect and maintain all other signage including, without limitation, no u-turns, crossing signs, no passing signs, school signs, and any other signs deemed necessary for the health, safety and welfare of town citizens and the users of town roadways. Any such signage may be erected and maintained by resolution as to type of sign and location. (Ord. dated 10/27/05)

10.04.050 Nonmoving violation and registration program.

Pursuant to the provisions of Section 345.28(4) of the Wisconsin Statutes, the town elects to participate in a nonmoving traffic violation and registration program of the Wisconsin Department of Transportation and pay the costs established by the Department under Wisconsin Statute Section 85.13; such costs shall, in turn, be assessed against the persons charged with nonmoving traffic violations. The town clerk shall be

responsible for complying with the requirements set forth in Wisconsin Statute Section 345.28(4). (Ord. dated 4/10/89: prior code § 7.02(11))

10.04.060 Restricted parking zones at White Oak Park, beach and boat launch.

The parking of motor vehicles along the designated parking area at the town's White Oak Park, beach and boat launch premises shall be subject to parking within the designated zones, as established by the restricted parking signs posted at said location. Vehicles with trailers shall park within the established "Vehicle with Trailer Parking Zone." Vehicles without trailers shall park within the established "Vehicle Without Trailer Parking Zone." The restricted and designated "Handicapped Parking Zone" shall be restricted for handicapped parking only. (Ord. dated 3/12/98: prior code § 7.02(12))