

# Village of Sister Bay Code of Ordinances

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## Chapter 58 Traffic and Vehicles

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This chapter was renumbered and rewritten on August 14, 2012 Ordinance 197.

# Village of Sister Bay Code of Ordinances

## TRAFFIC AND VEHICLES

\*Cross references: Any ordinance prescribing through streets, parking and traffic regulations, speed limits, one way traffic, limitations on load weights of vehicles, or loading zones saved from repeal, § 1.10(a)(8); offenses and miscellaneous provisions, Ch. 34.

### ARTICLE 1. IN GENERAL

#### Sec. 58.1 Snow and ice removal.

- (a) All sidewalks shall be kept clean of snow and ice at the expense of the lots abutting thereon. If the owner or occupant of such lot or part of a lot shall suffer snow or ice to remain upon any sidewalk abutting thereon for 24 hours after snow ceases to fall, the village shall proceed forthwith, without any order or notice to such owner or occupant, to cause the snow and ice to be removed at the expense of the lots and parts of lots abutting thereon.
- (b) No person shall deposit or cause the deposit directly or indirectly of snow or ice from private property or village sidewalks upon the village rights-of-way, streets, alleys, parking lots, docks or other property.
- (c) Any person found guilty of violating any provision of this section shall forfeit not less than \$100.00 nor more than \$200.00 for each violation plus costs of prosecution. Each violation shall constitute a separate offense.

#### Sec. 58.2 Removal and deposit of debris from construction vehicles.

- (a) Removal of debris. The operators of any motor vehicles used for construction projects in the village shall be responsible for the removal and cleaning up of any debris deposited upon any streets, alleys, roads or highways in the village as a result of the operation of such motor vehicles from the construction sites over such streets, alleys, roads and highways.
- (b) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:  
Debris means mud, dirt, sand, gravel and new and used construction materials.  
Motor vehicles mean trucks, backhoes and other excavation and earth moving equipment.  
Operators mean the owners and the drivers of such motor vehicles.  
Removal and cleaning up means the picking up of the debris and the sweeping or hosing down of the streets.
- (c) Time for removal. Such debris shall be removed or cleaned up within 24 hours after it has been

- deposited, except in the case of mud or dirt deposited by motor vehicles leaving construction sites on a daily basis, in which case the time may be extended by written permission from the village board.
- (d) Penalty. Any person violating any provision of this section shall be subject to section 1.12. If such debris is not removed and/or cleaned up within the time specified in subsection (c) of this section, then the Village Board may have such debris removed and/or cleaned up, and the operator of such motor vehicle shall be responsible to the village for the cost of such removal or cleanup.  
Cross references: Buildings and building regulations, Ch. 14; solid waste, Ch. 50.

#### Sec. 58.3 Abandoned vehicles

- (a) Purpose. In order to promote the general welfare and public good of the residents of the Village, it is necessary to prohibit abandoned vehicles in the Village and to provide for the removal of such vehicles in an orderly fashion.
- (b) Authorization. This section is enacted pursuant to the authority granted to Villages under Wis. Stats., §342.40.
- (c) Abandoned motor vehicles prohibited. No person shall leave unattended any motor vehicle, trailer, semi-trailer or mobile home on any public street or highway or private or public property in the Village for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. Whenever any such vehicle has been left unattended for more than seventy-two (72) hours, the vehicle is deemed abandoned and constitutes a public nuisance.
- (d) Removal of abandoned vehicles. Any vehicle in violation of this section shall be impounded until lawfully claimed or disposed of under this section; except that if it is deemed by the Village Administrator or Village President that the cost of towing and storage charges for the impoundment would exceed the value of the vehicle, the vehicle may be junked or sold prior to the expiration of the impoundment, upon determination by the Sheriff that the vehicle is not stolen or otherwise wanted for evidence or other reason.
- (e) Disposal of abandoned vehicles. Any abandoned vehicle, which has not been reclaimed, by its owner or lien holder after it has been held for a period of ten (10) days after certified mail notice has been sent to the owner and lien holders of record may be sold. Such sale may be by sealed bid or auction sale as directed by the Village Administrator or Village President. If no bids are received or all bids are rejected, the vehicle shall be sold at a private sale or junked upon determination of the Village Administrator or Village President.

# Village of Sister Bay Code of Ordinances

*Sec. 58.4 Regulations of highways signs.*

*Secs. 58.5 - 58.30 Reserved.*

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1           The owner or lien holder shall pay all towing  
2           and storage charges due on the vehicle before it  
3           may be released.

4 (f)   Penalty. Any person who violates any provision  
5           of this section shall be subject to a forfeiture not  
6           to exceed One Hundred and no/100 (\$100.00)  
7           Dollars.

8   **Sec. 58.4 Regulations of highways signs.**

9   See Chapter 66, the Zoning Code for all signage regula-  
10   tions.

11   **Secs. 58.5 - 58.30 Reserved.**

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# Village of Sister Bay Code of Ordinances

Sec. 58.31 Adoption of State Law.

Secs. 58.35 - 58.60 Reserved.

## ARTICLE 2. TRAFFIC

### Sec. 58.31 Adoption of State Law.

(a) Pursuant to the authority granted by Wis. Stats. § 349.06, the provisions of Wis. Stats. Chapters 340 to 348 and 350 inclusive of all existing or future amendments or revisions are hereby adopted for the regulation of traffic upon the streets and highways of the Village with like force and effect as if set forth herein at length and in full, with the exception of those provisions of Wis. Stats. Chapters 340 to 348 and 350 governing the suspension or revocation of motor vehicle operator licenses. Sections of the state statutes herein adopted are hereby incorporated by reference in this section, as so incorporated shall have the same number, and may be so cited.

(b) Wis. Stats. Chapters 340 to 348 and 350, when and if those chapter sections or subsections are either amended, modified or renumbered by session law and enacted into statute by the State Legislature, shall be deemed adopted into this section as so amended, modified or renumbered without amendment of this section being necessary.

### Sec. 58.32 Low Speed Electric Vehicles.

(a) Purpose. The purpose of this Section is to allow and regulate the use of Low Speed Vehicles within the municipal limits of the Village of Sister Bay.

(b) Definitions. The following terms or phrases, when capitalized herein shall have the following meaning:

Low Speed Vehicle (LSV) A motor vehicle that is propelled by gasoline or electric power and that conforms to the definition and requirements for low-speed vehicles as adopted in the federal motor vehicle safety standards 49 CFR 571.3 (b) and 49 CFR 571.500. It must have a certification label stating that the vehicle meets low-speed vehicle standards. Neighborhood electric vehicle does not include a golf cart.

(c) Operation of LSV:

- (1) A person may operate an LSV on any roadway, within the municipal boundaries of the Village of Sister Bay that has a speed limit of 35 miles per hour or less, subject to the following restrictions:
  - a. The LSV must be titled and registered through the Department of transportation (WisDOT), Division of Motor Vehicles (DMV).
  - b. The LSV must be operated by a licensed Driver, and
  - c. The LSV must be operated only on local roads specifically approved for LSV operation.

d. The person operating the LSV must obey all state and local traffic regulations not inconsistent with this ordinance.

(d) Enforcement and Penalty

Enforcement of this ordinance regulating the use of low speed vehicles with the Village shall be pursuant to section 10.99 (D)(1)(a) of the Village of Sister Bay code of Ordinances. If not otherwise provided, the penalty for unauthorized use of a low speed vehicle within the Village of Sister Bay shall be \$50.00 per occurrence.

### Sec. 58.34 Enforcement.

Any person authorized to enforce the ordinances of the village shall have the authority to enforce this article.

### Secs. 58.35 - 58.60 Reserved.

# Village of Sister Bay Code of Ordinances

*Sec. 58.61 Purpose; statutory authority.*

*Sec. 58.66 Regulation of parking on Highway 42.*

- 1                   **ARTICLE 3. PARKING**
- 2                   **Sec. 58.61 Purpose; statutory authority.**
- 3           (a) Pursuant to Wis. Stats. § 61.34(1), the village
- 4           board restricts parking in the various village
- 5           parking lots as identified below:
- 6           (1) Marina Long term parking lot located
- 7           between Sunset Drive and Scandia
- 8           Road, east of Bay Shore Drive at 2279
- 9           Scandia Road.
- 10          (2) Marina parking lot located at the Marina
- 11          at 10733 North Bay Shore Drive
- 12          (3) Long Term Marina parking located at
- 13          2125 Autumn Court Drive.
- 14          (4) Post Office Parking lot located behind
- 15          the Post Office at 10685 North Bay
- 16          Shore Drive.
- 17          (5) Boat House parking located at 10697
- 18          North Bay Shore Drive.
- 19          (6) Water Front Park South parking lots lo-
- 20          cated on both sides of Mill Road located
- 21          at 2362 Mill Road.
- 22          (7) Old School parking lot located at 10604
- 23          Highway 57.
- 24          (8) Sports Complex parking lot located at
- 25          2155 Autumn Court Drive.
- 26                   **Sec. 58.62 Definitions.**
- 27          (a) Term defined. As used in this article, the term
- 28          "person" means any of the following entities:
- 29          natural persons, corporations, partnerships, joint
- 30          ventures, associations, institutions or bodies
- 31          politic.
- 32          (b) Words or phrases. All definitions set forth in
- 33          Wis. Stats. § 340.01, as amended, are incorpo-
- 34          rated in this article by reference.
- 35          (c) Cross references: Definitions generally, § 1.2.
- 36                   **Sec. 58.63 Restrictions on parking.**
- 37          (a) No person shall camp or reside in any type of
- 38          motor vehicle or trailer in any parking lot identi-
- 39          fied in Section 58.61 above.
- 40          (b) No person shall park any vehicle with a trailer,
- 41          or a trailer in the Marina parking lot described
- 42          in section 58.61(a) (1) for a period of more than
- 43          48 hours.
- 44          (c) No person shall park any vehicle in the parking
- 45          lot described in section 58.61(a) (2) for a period
- 46          of more than 30 minutes.
- 47          (d) No person shall park any vehicle with a trailer,
- 48          or a trailer to be parked, in the Marina Long
- 49          Term parking lot described in section 58.61(a)
- 50          (3) other than the period of April through Octo-
- 51          ber.
- 52          (e) No person shall park any vehicle in the parking
- 53          lots described in section 58.61(a) (4), (6), (7)
- 54          and (8) for a period of more than 24 hours.

- 55          (f) No person shall park any vehicle in the park-
- 56          ing lot described in section 58.61(a) (5) with-
- 57          out a permit from the Village.
- 58                   **Sec. 58.64 Penalties.**
- 59          (a) Any person violating this article may be re-
- 60          quired to forfeit not less than \$25 nor more
- 61          than \$50 for the first offense and not less than
- 62          \$55 nor more than \$100 for the second or sub-
- 63          sequent offense within one year.
- 64          (b) A separate offense shall be deemed committed
- 65          on each day during or on which a violation oc-
- 66          curs or continues.
- 67                   **Sec. 58.65 Enforcement.**
- 68          (a) This article may be enforced by the issuance
- 69          of a citation to any violator of this article by
- 70          any sheriff or deputy sheriff of the county, any
- 71          state officer with police powers or any other
- 72          duly appointed or elected law enforcement of-
- 73         >ficers of the village.
- 74          (b) In the alternative, any forfeitures imposed by
- 75          this article may be sued for and recovered pur-
- 76          suant to Wis. Stats. Ch. 778 in the name of the
- 77          village.
- 78                   **Sec. 58.66 Regulation of parking on**
- 79                   **Highway 42.**
- 80          (a) Purpose. Pursuant to Wis. Stats. §§ 61.34(1)
- 81          and 349.13(1), the purpose of this section is to
- 82          prohibit certain parking at any time in a cer-
- 83          tain area on State Highway 42, also known as
- 84          Bay Shore Drive, in the village in order to
- 85          eliminate traffic congestion in the area of the
- 86          village dock and to provide for the health,
- 87          safety and welfare of the village residents.
- 88          (b) Definitions. All of the definitions in Wis.
- 89          Stats. § 340.01, as amended, are adopted by
- 90          reference in this section.
- 91          (c) Prohibited parking. From April 15 through
- 92          September 15 of each year no person shall
- 93          park, or suffer to be parked, at any time any
- 94          boat trailer, motor home, mobile home, or
- 95          camping trailer on State Highway 42, also
- 96          known as Bay Shore Drive, between the inter-
- 97          section of Scandia Road and the north line of
- 98          the property now known as the Casperson
- 99          property located at 10710 North Bay Shore
- 100          Drive in the village.
- 101          (d) Exceptions. The exceptions provided by Wis.
- 102          Stats. § 346.50, as amended, are incorporated
- 103          by reference in this section.
- 104          (e) Penalties.
- 105          (1) Any person violating this section may
- 106          be required to forfeit not less than \$25
- 107          for the first offense and not less than
- 108          \$55 for the second or subsequent of-
- 109          fense within one year.

# Village of Sister Bay Code of Ordinances

*Sec. 58.67 Emergency Parking Restrictions.*

*Secs. 58.67 - 58.90 Reserved.*

1 (2) A separate offense shall be deemed  
2 committed on each day during or on  
3 which a violation occurs or continues.

4 (f) Enforcement.

5 (1) This section may be enforced by the is-  
6 suance of a citation to any violator of  
7 this section by any sheriff or deputy  
8 sheriff of the county, by any state officer  
9 with police powers or any other duly ap-  
10 pointed law enforcement officer of the  
11 village.

12 (2) In the alternative, any forfeitures im-  
13 posed by this section may be sued for  
14 and recovered pursuant to Wis. Stats.  
15 Ch. 778 in the name of the village.

16 **Sec. 58.67 Emergency Parking Restrictions.**

17 (a) Declaration of an emergency. The Village Presi-  
18 dent, during periods of emergency and immedi-  
19 ately thereafter, may declare a state of public  
20 emergency and the duration. Emergency thor-  
21 oughfares shall be designated by public procla-  
22 mation by means of radio, placards, or other  
23 means of communication.

24 (b) No person shall park or abandon any vehicle,  
25 nor load or unload any merchandise or freight  
26 from any street designated as an emergency  
27 thoroughfare.

28 (c) During periods of heavy snowfall in which the  
29 accumulation of snow has narrowed the streets  
30 or impeded normal traffic flow, the Village Pres-  
31 ident may declare a snow emergency and may  
32 impose emergency parking restrictions while the  
33 snow emergency is in effect.

34 (d) Any vehicle in violation of this subsection may  
35 be towed at the owner's expense.

36 (e) Exceptions. Emergency personnel responding to  
37 an emergency are exempt from the parking re-  
38 strictions of this subsection.

39 **Secs. 58.67 - 58.90 Reserved.**

40

# Village of Sister Bay Code of Ordinances

*Sec. 58.91 Intent.*

*Sec. 58.96 Penalties.*

## 1           ARTICLE 4. SNOWMOBILES

2 State law references: Authority generally, Wis. Stats. §  
3 350.18 (3)(a).

### 4 **Sec. 58.91 Intent.**

5 The intent of this section is to provide a means for per-  
6 sons to travel from a residence and lodging establish-  
7 ment within the limits of the village for the shortest dis-  
8 tance that is necessary for a person to operate a snow-  
9 mobile to the snowmobile route or trail that is closest to  
10 that residence.

### 11 **Sec. 58.92 Designated roadways and/or** 12 **highways.**

13 Snowmobiles shall not be operated on any street, alley,  
14 sidewalk or park, except as may be officially designat-  
15 ed and approved by the Parks Committee. The ap-  
16 proved routes shall be marked as snowmobile routes in  
17 accordance with Wisconsin State Statutes § 350.13.  
18 Snowmobiles shall not be operated on any private  
19 property without the express consent or permission of  
20 the owner.

### 21 **Sec. 58.93 Conditions.**

22 This article designates roadways and shoulders of  
23 highways for snowmobile travel by persons residing in  
24 or staying at a lodging establishment within the limits  
25 of the village to travel for the shortest distance that is  
26 necessary to reach the snowmobile trail or route that is  
27 closest to that residence or lodging establishment.

### 28 **Sec. 58.94 Speed.**

29 A snowmobile operated on a portion of the roadway or  
30 shoulder of a highway pursuant to this article shall ob-  
31 serve roadway speed limits.

### 32 **Sec. 58.95 Enforcement.**

33 This article shall be enforced by any law enforcement  
34 officer of the county.

### 35 **Sec. 58.96 Penalties.**

36 State snowmobile penalties in Wis. Stats. §  
37 350.11(1)(a), are adopted by reference.

# Village of Sister Bay Code of Ordinances

*Sec. 58.100 Official Traffic Signs and Control Devices; Prohibited Signs, Signals and Markers.*

*Sec. 58.101 Official Traffic Map.*

## 1 ARTICLE 5. OFFICIAL TRAFFIC MAP

2 State law references: Authority generally, Wis. Stats. §  
3 350.18 (3)(a).

### 4 **Sec. 58.100 Official Traffic Signs and** 5 **Control Devices; Prohibited Signs, Signals** 6 **and Markers.**

7 (a) Duty of Village Administrator to Erect and Install  
8 Uniform Traffic Control Devices. Whenever traffic  
9 regulations created by this Chapter, including a  
10 State of Wisconsin traffic regulation adopted by  
11 reference in Section 10.01 require the erection of  
12 traffic control devices for enforcement, the Village  
13 Administrator with the cooperation of the Parks  
14 Department, shall procure, erect and maintain uni-  
15 form traffic control devices conforming to the Uni-  
16 form Traffic Control Device Manual promulgated  
17 by the Wisconsin Department of Transportation,  
18 giving notice of such traffic regulation to the users  
19 of the streets on which such regulations apply.

20 (c) Prohibited Signs and Markers in Highways. No  
21 person other than an officer authorized by this  
22 Chapter to erect and maintain official traffic con-  
23 trol devices or his designee shall place within the  
24 limits of any street or road maintained by the Vil-  
25 lage any sign, signal, marker, mark or monument  
26 unless permission is first obtained from the Village  
27 Administrator or, where applicable, the Wisconsin  
28 Department of Transportation. Any sign, signal,  
29 marker, mark or monument placed or maintained  
30 in violation of this Subsection shall be subject to  
31 removal as provided in Subsection (d).

32 (d) Removal of Unofficial Signs, Markers, Signals  
33 and Traffic Control Devices. The Village Adminis-  
34 trator or designee may remove any sign, signal,  
35 marking or other device, which is placed, main-  
36 tained or displayed in violation of this Chapter or  
37 state law. Any charge imposed against premises  
38 for removal of a prohibited, illegal sign, signal,  
39 marking, or device shall be reported by the Village  
40 Administrator to the Board of Trustees for review  
41 and certification at its next regular meeting follow-  
42 ing the imposition of the charge. Any charge not  
43 paid on or before the next succeeding November  
44 15 shall be placed upon the tax roll for collection  
45 as other special municipal taxes.

46  
47 State Law Reference: Sections 346.41 and 349.09,  
48 Wis. Stats.

### 49 **Sec. 58.101 Official Traffic Map.**

50 There is hereby established an official map upon which  
51 shall be indicated no parking areas, restricted parking ar-  
52 eas, stop signs, arterial intersections, yield signs, special  
53 speed limits, one way streets and alleys, school cross-  
54 ings, and any other restrictions and limitations as di-  
55 rected by the Village Board. The Village Board may del-

56 egate to the Parks Committee the authority to make ad-  
57 ditions or deletions to the official traffic map and the  
58 Village Administrator shall keep such official traffic  
59 map current.. A violation of the restriction or limitation  
60 shown on the official traffic map shall be a violation of  
61 this Section. A copy of the official traffic map shall be  
62 maintained in the office of the Village Clerk and the  
63 Parks Department.  
64