SECTION 7.1.02. WISCONSIN TRAFFIC LAWS ADOPTED

(1) Except as otherwise specifically provided in this Code, the statutory provisions in Secs. 340 to 348 and 941.01 Wis. Stats., as they presently exist or may hereafter be amended, describing and defining regulations with respect to vehicles and traffic, for which the penalty imposed is a forfeiture only, including penalties, penalty assessments and procedures for prosecution, are adopted by reference and made a part of this Code as if fully set forth herein.

(2) Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this Code. Any future amendments, revisions, or modifications of the statutes incorporated herein are intended to be made part of this Code in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the State.

(3) Reference to Statute. For the purposes of construction and enforcement of this title, all references to the Wisconsin statutes shall be as those statutes presently exist or as they may be hereafter amended.

(4) Penalties. The penalties for the violation of this section shall be as set
forth in Section 1.4.02., of the Lake Hallie Village Code, which hereby adopts by reference the State of Wisconsin Revised Uniform State Traffic Deposit Schedule ("USTDS") as may from time to time be amended.

(5) Specific Sections Adopted. Sections of 340 through 348 Wis. Stats. adopted by reference shall include but not be limited to the following:

WORDS AND PHRASES

340.01 Words and Phrases Defined

REGISTRATION OF VEHICLES

341.11(4) Display of Registration Plates
341.15 Display of Registration Plates
341.16(4) Issuance of Duplicate Plates
341.42(4) Reciprocity Permits
341.55 Penalty for Misuse of Plates
341.57 Registration of Finance Companies and Banks
341.63 When Registration is to be Suspended

VEHICLE TITLE AND ANTI-THEFT LAW

342.05(4) Certificate of Title Required
342.15(5), (6) and (7) Transfer of Interest in Vehicle
342.23 Secured Party's and Owner's Duties
342.30, 342.31, 342.34 Anti-theft and Anti-fraud Provisions

OPERATORS' LICENSES

343.01 Words and Phrases Defined
343.305 Implied Consent
343.35 Surrender of Licenses upon Cancellation, Revocation or Suspension
343.45 to 343.46 Unlawful Practices Relative to Licenses
343.60 to 343.72 Licensing of Driver Schools and Instructors
343.70 Penalty

FINANCIAL RESPONSIBILITY

344.01 Words and Phrases Defined
344.45 to 344.47 Penalties for Violation of Chapter
344.51 Financial Responsibility for Domestic Rented Vehicles

CIVIL AND CRIMINAL LIABILITY

345.01 Words and Phrases Defined
345.20 to 345.53 General Provisions in Traffic Forfeiture Actions  
345.55 Traffic Officers not to Profit from Arrests

RULES OF THE ROAD

346.01 Words and Phrases Defined  
346.02 Applicability of Chapter  
346.03 Applicability of Rules of the Road to Authorized Emergency Vehicles  
346.04 (1) and (2), 346.05 to 346.16 Driving, Meeting, Overtaking, Passing  
346.17 Penalty for Violating Secs. 346.04 to 346.16  
346.18 to 346.21 Right-of-way  
346.22 Penalty for Violating Secs. 346.18 to 346.21  
346.23 to 346.29 Drivers and Pedestrians  
346.30 Penalty for Violating Secs. 346.23 to 346.29  
346.31 to 346.35 Turning and Stopping and Required Signals  
346.36 Penalty for Violating Secs. 346.31 to 346.35  
346.37 to 346.42 Traffic Signs, Signals and Markings  
346.37(1)(c)3 Right Turns at Signal Intersections  
346.43 Penalty for Violating Secs. 346.37 to 346.42  
346.44 to 346.48 Required Stops  
346.49 Penalty for Violating Secs. 346.44 to 346.48  
346.50 to 346.55 Restrictions on Stopping and Parking  
346.57(2), (3) and (4)(a) to (c) Speed Restrictions - First Offense in a Year  
346.57(4)(d), (5) and (6) to 346.595 Speed Restrictions  
346.60 Penalty for Violating Secs. 346.57 to 346.595  
346.60(3m)(a) Double Fines for Construction and Maintenance Zones  
346.61 Sections Relating to Reckless and Drunken Driving  
346.61(1) and (3) Reckless Driving  
346.63(1), (3) and (4) Operating Under Influence of Intoxicant  
346.64 Employment of Drunk Operators.  
346.65(1) and (2) Penalty for Violating Secs. 346.62 to 346.64  
346.66 Sections Relating to Accident and Accident Reporting  
346.68 and 346.69 Duty upon Striking Unattended Vehicle--Upon Striking Property on or Adjacent to Highway--First Offense Within a Year  
346.70(1), (2) or (3), 346.71, 346.72, 346.73 Duty to Report Accident, Etc.  
346.70(4) Police and Traffic Agencies to Report  
346.70(5) Falsifying Reports - First Offense Within a Year  
346.77 to 346.81 Bicycles and Play Vehicles  
346.82 Penalty for Violating Secs. 346.77 to 346.81  
346.87 to 346.94 Miscellaneous Rules  
346.95 Penalty for Violating Secs. 346.87 to 346.94

EQUIPMENT OF VEHICLES

347.01 to 347.05 General Provisions
SECTION 7.1.06. TRAFFIC SIGNS AND SIGNALS.

(1) Authorization.

(a) Whenever traffic regulations created by this title, including any State of Wisconsin regulations adopted by reference, require the erection of traffic control devices for enforcement, the Chief of Police is authorized and shall obtain, erect and maintain uniform traffic control devices conforming to the Uniform Traffic Control Devices Manual as issued by the Wisconsin Department of Transportation.

(b) Where Wisconsin Statutes grant discretion to local governments in erection or placement of traffic control devices, those devices shall be erected in such location and manner as determined by the Chief of Police, or his designee, to carry out the purposes of this title and provided adequate warning to vehicles operating on the streets and highway in the Village.

(c) Construction Zones. In addition to the above the Village retains authority pursuant to Sec. 349.11(10) Wis. Stats. to post temporary speed limit signs where road construction, reconstruction, maintenance or repair is performed.

(2) Official Signs and Signals. All traffic control devices as they presently exist and as they may hereafter exist are designated as the official signs and signal of the Village of Lake Hallie.
(3) Removal. The Chief of Police shall have the authority granted by statute and herein to remove any traffic control device erected or maintained in violation of this title or state regulations.


SECTION 7.1.14. DISORDERLY CONDUCT WITH A MOTOR VEHICLE

(1) Disorderly Conduct. No person shall cause, by excessive and unnecessary acceleration, the tires of any vehicle to spin and emit loud noises or to unnecessarily throw stones or gravel; nor cause to be made by excessive and unnecessary acceleration any loud noise as would disturb the public peace. No person shall otherwise operate a motor vehicle in a manner that would disturb public peace or endanger the safety of other motorists, pedestrians or property.

(2) Off Street Operation. No person shall, on any off street area used for a park, recreation or public purposes in the Village of Lake Hallie, operate a motor vehicle in such a manner as to destroy or damage grass, sod, trees, shrubbery or other property.

(3) Except as provided in Sec. 347.38(1) Wis. Stats., no person may operate, park, stop or leave standing a motor vehicle while using a radio or other sound amplifying, producing, or recording device, which emits sound from the vehicle that is audible under normal conditions from a distance of seventy-five (75) feet or more.

(a) Exceptions to the above include:

1. Emergency vehicles.
2. Public utility vehicles.
3. Vehicle being used in a public assembly or procession.
5. Motorcycles outside commercial or residential areas.

(b) Seizure. If the operator or owner of such vehicle emitting such noise has been cited for violation of this section three (3) times within two (2) years a law enforcement officer may seize the offending device and dispose of it in the manner set forth in Sec. 66.948(2) Wis. Stat. If the offending device cannot be easily removed, the officer may impound the
offending vehicle for a period of five (5) days to allow Village personnel, or
designated agents, to remove the equipment. The owner or violator shall
pay for such reasonable costs of removal and impound fees, including
towing.

(4) Penalty. The penalty for violation of this section shall be as specified in
the Village of Lake Hallie Code, Section 1.4.02., together with restitution, if
applicable.

(Formerly Hallie Ordinance No. 101(5) “Exhibition Driving” adopted July, 1995)

SECTION 7.1.18 MUNICIPAL TICKET – OTHER

(1) As an alternative to the forfeiture amount set forth in the Village of Lake
Hallie Bond and Forfeiture Schedule for ordinance violations, or the Circuit Court
Bond Schedule for traffic violations, the Village of Lake Hallie may issue a
municipal ticket for other than parking violations. A municipal ticket issued under
this section shall be designated “other” on the face of the ticket.

(2) A municipal ticket for other than parking violation shall not be issued in
place of or in lieu of a municipal or traffic citation at the time of the ordinance or
traffic violation. The issuance of a municipal ticket for other than parking violation
is limited to those instances when, in the course of plea negotiations, the Village
of Lake Hallie determines a lesser monetary sanction than would be imposed
under its Bond and Forfeiture Schedule or the Circuit Court Bond Schedule is
appropriate and in furtherance of the public interest.

(3) The penalty imposed on a municipal ticket for other than parking violation
shall not exceed $500.00. No fees or costs shall be added to the amount of a
municipal ticket for other than parking violation issued under this section.

(4) The Village of Lake Hallie shall not issue a municipal ticket for other than
parking violation unless the person who was originally cited for an ordinance or
traffic violation agrees to the issuance of a municipal ticket in return for the
dismissal of the ordinance or traffic citation in circuit court.

(5) Payment of a municipal ticket for other than parking violation under this
section shall be made directly to the Village of Lake Hallie either by delivering
payment directly to the Village Hall, or sending payment to the following address:
Village of Lake Hallie, Attn: Clerk/Treasurer, 13033 30th Avenue, Chippewa
Falls, Wisconsin 54729.

(6) Payment of a municipal ticket for other than parking violation is due within
thirty (30) days of when the Village of Lake Hallie and a person who was
originally cited for an ordinance or traffic citation agree to the issuance of a
municipal ticket in return for the dismissal of the ordinance or traffic citation in
circuit court.
(7) The Village of Lake Hallie shall reopen and prosecute the originally issued municipal or traffic citation in circuit court if a person who agrees to the issuance of a municipal ticket for other than parking violation does not pay the municipal ticket.

(8) Payments received by the Village of Lake Hallie on municipal tickets for other than parking violation shall be deposited into the Penalties and Forfeitures Account maintained by the Village of Lake Hallie.

SECTION 7.1.20 PROHIBITING USE OF COMPRESSION BRAKES

(1) Compression Brakes Prohibited. It shall be unlawful in the Village of Lake Hallie for any vehicle to use compression brakes (jake brakes) or to downshift and release the clutch to use the vehicle’s engine compression to reduce speed or stop the vehicle.

(2) Defense. It shall be an affirmative defense to prosecution under this section that the use of compression brakes was necessary for the protection of persons or property and the vehicle could not be otherwise slowed.

(3) Penalty. The penalty for violation of this section shall be as specified in the Village of Lake Hallie Code, Section 1.4.02.

SECTION 7.2.02 PARKING PROHIBITIONS

(1) State Law Adopted by Reference. The provisions of Secs. 345.28 and 346.50 to 346.56 Wis. Stats. as they presently exist and are hereafter amended referencing nonmoving violations, stopping and parking are hereby adopted by reference as if fully set forth herein.

(2) Streets and Village Roads. No person shall park or leave standing any vehicle, either attended or unattended:

(a) Upon the asphalt surface portion of any Village road or highway, except in circumstances described in Section 346.50(1) Wisconsin Statutes.

(b) No person shall leave or park any vehicle at any one place upon a street or highway, or the right of way of any street or highway, in the Village of Lake Hallie for more than twenty-four (24) consecutive hours. Each twenty-four (24) hour period a vehicle is not moved at least fifty (50) feet shall constitute a separate offense.

(c) Within thirty (30) feet of a fire hydrant.
(d) Designated No Parking Zones. The Village Board may from time to time, by resolution, designate no parking zones. The road superintendent shall post official signs designating the no parking zones.

(e) In the Lake Hallie Parking Lot without paying the designated fee or otherwise complying with the terms of Section 12.1.02 of the Village Code.

(f) Penalty.

1. Citation. Authorized Village of Lake Hallie personnel shall have authority to issue parking citations as allowed by Sec. 345.28 Wis. Stat. allowing direct mail or personal payment to the Village Clerk within five days of the issuance of the citation in lieu of a court appearance. The citation shall specify the forfeiture imposed hereunder as may be determined by the Village Board.

2. A Village police officer, or otherwise authorized employee, may issue a citation for violation of 346.50 to 346.55 Wis. Stats. as incorporated herein by reference. The penalties shall be as provided in Sec. 346.56 Wis. Stat.

3. If a Village police officer, or otherwise authorized employee, finds a vehicle in violation of this section, or in violation of Secs. 342, 346 or 349 Wis. Stats., that individual may authorize the vehicle to be removed. Any costs or expenses incurred in connection with towing or storing a vehicle in violation of this section shall be paid by the operator or owner of the vehicle. In authorizing the removal of an offending vehicle, the police officer or authorized employee may consider, without limitation:

   A. Whether the vehicle obstructs the roadway or impedes traffic.

   B. Whether the vehicle is a present or potential hindrance to emergency vehicles or snow removal equipment.

   C. The length of time the vehicle has remained stationary and the number of prior citations issued to that vehicle.

(3) Parking on Private Property Prohibited.

(a) No person shall park or leave standing any vehicle, either attended or unattended, upon the private property of another without the express consent of the property owner.
(b) Penalty. Any person violating the provision of this subsection shall upon conviction thereof forfeit the sum of ten dollars ($10.00) and costs. In addition, any costs or expenses incurred in connection with towing or storing a vehicle in violation of this section shall be added to the forfeiture.

(4) Refrigeration Equipment Prohibited in Residential Zones.

(a) No person shall park, on public ways or private property in residential zones of the Village of Lake Hallie, attended or unattended vehicles that have refrigeration equipment in operation.

(b) Penalty. Any person violating this subsection shall be subject to the forfeiture specified in Section 1.4.02 of the Village of Lake Hallie Code. In addition, any costs or expenses incurred in connection with towing or storing a vehicle in violation of this section shall be added to the forfeiture.

(Formerly Hallie Ordinance No. 101(6-8) “Roadway Parking; Private Property and Refrigeration Equipment” and Hallie Ordinance No. 101(10) “Ordinance Creating Seasonal No Parking Zone” adopted September 18, 1989 as subsequently amended)

SECTION 7.2.03 PARKING VIOLATION TICKET

As an alternative to the forfeiture amount set forth in the Village of Lake Hallie Bond and Forfeiture Schedule for parking violations committed under Sections 7.2.02 and 7.2.06 of the Village of Lake Hallie Code of Ordinances, a violator may be issued a parking violation ticket for which the penalty imposed is a $25.00 forfeiture.

Payment of the parking ticket forfeiture shall be to the Village of Lake Hallie Clerk/Treasurer, who shall keep a record of all parking violation tickets. Violators shall have thirty (30) days in which to pay the forfeiture, unless the violator provides written notice to the Chippewa County Clerk of Court’s Office of the violator’s entry of a not guilty plea. The Village of Lake Hallie Clerk/Treasurer shall have the authority to refer unpaid parking tickets to the appropriate reporting agency for further sanctions, including, but not limited to, suspension of the violator’s driver’s license.

SECTION 7.2.06 WINTER PARKING AND PLOWING

(1) Purpose. The purpose of this section is to facilitate snow removal and traffic management during the less hospitable weather conditions of the season. The Village of Lake Hallie’s primary goal during any snowstorm is to keep the maintenance vehicles moving, streets open and safe for both the motoring public and maintenance vehicle operator.

(2) Definitions.
(a) “Vehicle.” Every device in, upon or by which any person or property is or may be transported or drawn upon a street.

(3) Restrictions and Prohibitions.

(a) From November 1 to March 31 of each year, no person shall park, abandon, or leave unattended any vehicle “on” or “within 10 feet” from the edge of any public street or highway in the Village of Lake Hallie. Through the duration of any snowfall, snowstorm, or ice storm, and the twelve hour period after the cessation of the same, except upon which have been fully opened.

(b) Penalty.

1. Citation. Village of Lake Hallie personnel shall have authority to issue parking citations as allowed by Sec. 345.28 Wis. Stat. allowing direct mail or personal payment to the Clerk/Treasurer within five days of the issuance of the citation in lieu of a court appearance. The citation shall specify the forfeiture imposed hereunder as may be determined by the Village Board.

2. A Village police officer, or otherwise authorized employee, may issue a citation for violation of 346.50 to 346.55 Wis. Stats. as incorporated herein by reference. Any person violating this subsection shall, upon conviction, be subject to the forfeiture specified in Section 1.4.02 of the Village of Lake Hallie Code.

3. If a Village police officer, or otherwise authorized employee, finds a vehicle in violation of this section, that individual may authorize the vehicle to be removed.

(d) Neither the Village of Lake Hallie nor its agents shall be liable for any damage to any vehicle that may be in violation of this section.

(4) Private Snow Plowing.

(a) The placing, dumping, or pushing of snow onto Village streets or rights-of-way from adjacent properties is strictly prohibited. Any person in violation of this subsection shall be subject to the forfeiture specified in Section 1.4.02 of the Village of Lake Hallie Code.

(Formerly Hallie Ordinance No. 142 “Winter Parking Ordinance” adopted December 17, 2001)
SECTION 7.3.04. SNOWMOBILES

(1) Except as otherwise specifically provided in this Code, the statutory provisions in Chapter 350 Wis. Stats., as they presently exist or may hereafter be amended, describing and defining regulations with respect to snowmobiles, are adopted and by reference made a part of this Code as if fully set forth herein.

(2) Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this Code. Any future amendments, revisions, or modifications of the statutes incorporated herein are intended to be made part of this Code.

(3) Reference to Statute. For the purposes of construction and enforcement of this title, all references to the Wisconsin statutes shall be as those statutes presently exist or as they may be hereafter amended.

(4) Specific Sections Adopted. Chapter 350 Wis. Stats. adopted by reference shall include but not be limited to the following:

SNOWMOBILES

350.01 Definitions
350.02 Operation of Snowmobiles on or in the Vicinity of a Highway
350.03 Right-of-way
350.04 Snowmobile Races, Derbies and Routes
350.045 Public Utility Exemption
350.047 Local Ordinance to be Filed
350.05 Operation by Youthful Operators Restricted
350.055 Safety Certification Program Established
350.07 Driving Animals
350.08 Owner Permitting Operation
350.09 Head Lamps, Tail Lamps and Brakes
350.10 Miscellaneous Provisions for Snowmobile Operation
350.12 Registration of Snowmobiles
350.13 Uniform Trail Signs and Standards
350.15 Accident and Accident Reports
350.17 Enforcement
350.18 Local Ordinances
350.19 Liability of Land Owners

(5) Obedience to traffic rules. The operator of a snowmobile upon a roadway shall in addition to the provisions of Chapter 350 be subject to Sections 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, 346.91(1) and 346.94(1), (6), (6m) and (9).

(6) Penalty.

(a) Any person violating this subsection shall be subject to the forfeiture specified in Section 1.4.02 of the Village of Lake Hallie Code.

(b) In addition, any costs or expenses incurred in connection with the towing or storing a vehicle in violation of this section shall be added to the forfeiture.

(Formerly Hallie Ordinance No. 101(9) “Snowmobiles and All Terrain Vehicles” adopted 3/87 superseded Hallie Ordinance No. 79, of 3/79, 102, 82-1(1d) and 1-87).

SECTION 7.3.06. ALL TERRAIN VEHICLES

(1) Except as otherwise specifically provided in this Code, the statutory provisions in Section 23.33 Wis. Stats., as they presently exist or may hereafter be amended, describing and defining regulations with respect to All Terrain Vehicles, are adopted and by reference made a part of this Code as if fully set forth herein.

(2) Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this Code. Any future amendments, revisions, or modifications of the statutes incorporated herein are intended to be made part of this Code.

(3) Reference to Statute. For the purposes of construction and enforcement of this title, all references to the Wisconsin statutes shall be as those statutes presently exist or as they may be hereafter amended.

(4) Obedience to traffic rules. The operator of an All Terrain Vehicle upon a roadway shall in addition to the provisions of Sec. 23.33 Wis.Stat. be subject to Sections 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, 346.91(1) and 346.94(1), (6), (6m) and (9).

(5) Prohibited Use and Operation.

(a) No All Terrain Vehicle shall be operated within 33 feet of the center-line of any roadway in the Village of Lake Hallie, except for crossing set forth herein.
(b) No All Terrain Vehicle shall be operated on public land owned or leased by the Village of Lake Hallie.

(c) No All Terrain Vehicle shall be operated on all other public land specifically, but not limited to:

1. Cemeteries.
2. Church properties.
3. Airports.
4. Parks and recreational areas.
5. Bicycle paths.

(d) No person shall operate an All Terrain Vehicle on the private property of another without the expressed consent of the owner. Failure to post private property does not imply consent, nor does consent impose a duty to keep the premises free of hazards not willfully set.

(e) No person shall use or operate an All Terrain Vehicle in the following manner:

1. While under the influence of intoxicating liquor, fermented malt beverages or controlled substances.
2. At a rate of speed that is unreasonable or improper for the circumstances.
3. In a careless or negligent manner as to endanger the person or the property of another.
4. Without a properly functioning factory approved muffler.
5. Without approved helmet and eye protectors.
6. Without functioning headlights and tail lights during the hours of darkness.

(f) No person shall carry on his person or the vehicle, while operating an All Terrain Vehicle, the following:

1. Intoxicating liquor, fermented malt beverage or controlled substances.
2. Firearms or bow, unless it is unloaded and encased and bow unstrung or enclosed in a case.

(g) No owner or other person having charge and control of a All Terrain Vehicle shall authorize or allow any person to operate said vehicle who is incapable, by reason of age, physical or mental disability or is under the influence of intoxicating liquor, fermented malt beverage or controlled substances.

(h) Operators shall dismount and walk the vehicle where crossing roadways or other lands where prohibited from use.

(6) Penalty.

(a) Any person violating any of the provisions of this section shall be subject to the forfeiture specified in Section 1.4.02 of the Village of Lake Hallie Code.

(c) In addition, any restitution or costs or expenses incurred in connection with the towing or storing a vehicle in violation of this section shall be added to the forfeiture.

(Formerly Hallie Ordinance No. 101(9) “Snowmobiles and All Terrain Vehicles” adopted 3/87 superseded Hallie Ordinance No. 79, of 3/79, 102, 82-1(1d) and 1-87).