

CHAPTER IV (FOUR) TRAFFIC CODE

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4.01 STATE TRAFFIC LAWS ADOPTED.

Except as otherwise specifically provided in this Code, the statutory provisions of Chapter 340 to 349, of the Wisconsin Statutes, describing and defining regulations with respect to vehicles and traffic, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are hereby adopted and by reference made a part of this Code as if fully set forth herein. 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.

4.02 STATE FORFEITURE STATUTES.

Any forfeiture for violation of the State Statutes adopted by reference in section 4.01 of this Chapter shall conform to the forfeiture permitted to be imposed for violation of such statutes as set forth in the Uniform Deposit and Misdemeanor Bail Schedule of the Wisconsin Judicial Conference, including any variations, modifications, or increases for subsequent offenses, which schedule is adopted by reference herein as if set forth in full.

4.03 CONFLICT AND SEPARABILITY.

The provisions of section 15.02 of the Municipal Code of the Village of Bloomington, Wisconsin, shall apply to the provisions of this ordinance.

4.04 STATE SPEED LIMITS ADOPTED.

The provisions of ss. 346.57, 346.58 and 346.59 of the Wisconsin Statutes, relating to the maximum and minimum speed of vehicles are hereby adopted as part of this section as if fully set forth herein, except that the speed limit for Mill Street from the north curb line of Canal Street to the north curb line of Fifth Street shall be twenty miles per hour.

4.05 AUTHORITY OF POLICE.

(1) POLICE TO DIRECT TRAFFIC

It shall be the duty of the Chief of Police and Police Officers appointed pursuant to Sections 1.02 and 3.02 of this Code to enforce the provisions of this chapter. Officers having police power are hereby authorized to direct all traffic either in person or by means of visible or audible signal in accordance with the provisions of this Chapter, provided that in the event of a fire or other emergency or to expedite traffic or safeguard pedestrians, officers having police power and members of the Fire Department may direct traffic, as conditions may require, notwithstanding said provisions.

4.06 ARTERIAL HIGHWAYS.

The following streets in the Village of Bloomington, Wisconsin, are hereby designated and declared to be arteries for through traffic:

Canal Street.

Pleasant Street from the North curb line of Canal Street to the North curb line of Fourth Street.

Congress Street from the North curb line of Canal Street its full length.

Mill Street from the North curb line of Canal Street to the North Village Corporation line.

4.07 PARKING

The following parking regulations are hereby adopted in addition to the parking regulations adopted from the Wisconsin Statutes:

- (1) Marked Parking Places – Upon those streets where parking places are marked or designated by lines on the street surface, all vehicles shall be parked within the places so marked or designated and no person shall park any vehicle in any such parking place except strictly within the established line.

- (2) Parking Limits – When signs are erected in any block giving notice thereof, no person shall park a vehicle for longer than a period of two consecutive hours at any time between the hours of 8:00 a.m. and 6:00 p.m. on any Monday, Tuesday, Wednesday, Thursday, or Friday, or between the hours of 8:00 a.m. and 1 p.m. on any Saturday, upon the following streets or portions of streets:
- (a) Both sides of Canal Street between Pleasant Street and Mill Street excepting that part of the North side of said portion of Canal Street which adjoins the South side of Lot 7, Block 2 of Original Tafton. Bloomington (being that portion of said street lying along the front of the United States Post Office property) where no person shall park a vehicle for longer than a period of five minutes at any time between the hours of 8:00 a.m. and 6:00 p.m. of any day except Sundays or legal holidays.
 - (b) Both sides of Pleasant Street between Canal Street and First Street.
 - (c) Both sides on Congress Street between Canal Street and First Street.
- (3) No Parking Areas – No person shall park, stop or leave standing any vehicle, whether attended or unattended, upon any portion of a street when such street is properly designated by an official “No Parking” sign placed on said street under the direction of the Village board or by the Chief of Police of said Village.
- (4) 48 Hour Parking Limit – No person shall park, stop or leave standing any vehicle, whether attended or unattended, for a period of more than forty-eight (48) consecutive hours on any street of the Village of Bloomington, or any village parking lot in said Village.
- (5) All Night Parking Prohibited – No person shall park, or leave standing any vehicle, whether attended or unattended, between the hours of 3:00 A.M. and 6:00 A.M. of any day upon the following streets or portions of streets:
- Canal Street between Bowery Street and Mill Street.
 - On Pleasant Street between Canal Street and First Street.
 - On Congress Street between Canal Street and First Street.
- (6) Winter Parking Restrictions – For the winter months, beginning November 15 through April 1 of each year, alternate side parking shall be enforced for snow removal purposes.
- (a) Any and all vehicles are to be parked on the South and West sides of the street (the “odd-numbered” side) on odd numbered days, and on the North and East sides of the street (the “even-numbered” side) on even numbered days.

- (b) Sections of streets where there is parking on only one side of the street are exempt from alternate side parking. However, under ss 4.07(4), no vehicle may be left standing for more than forty-eight (48) consecutive hours. Cooperation by vehicle owners with Village snow removal employees is appreciated.
 - (c) On Wall Street, vehicles are to be parked on the street on even-numbered days and in the alley on odd-numbered days.
- (7) Parking Penalties. – In the event any vehicle is found parked contrary to any of the aforesaid provisions of this section, then any police officer of the Village of Bloomington is authorized and directed to take the following actions:
- (a) Citation and Fine. The village police officer is authorized to issue a citation to the driver of the vehicle. If the driver is not immediately identifiable, the citation shall be issued to the registered owner of the vehicle. The officer may attach a citation to the vehicle identifying the vehicle, violation, fine amount, location to pay, and penalties for non-payment of the citation. The dollar amount of the fines for parking violations will be no less than \$20 and no more than \$100. The fine amount will be due to the Village Office within 2 business days. If the fine amount is not delivered to the Village Office within 2 business days, the fine amount will increase to no less than \$30 and no more than \$150. The owner may contest the citation by filing written notice with the Village Clerk within 30 days of the citation date. A new citation will be issued with the additional court costs and a court date will be assigned.
 - (b) Vehicle Towed. The village police officer is authorized and directed to take such vehicle into official custody and move the same or cause it to be moved from the prohibited area. The expense of moving and storage of such vehicle shall be paid to the Village of Bloomington before possession of the vehicle is granted to the owner thereof. In addition, the owner of said vehicle may be subject to additional fines and penalties.
 - (c) Registration Suspension. If the citation is not paid, or contested, within 30 days of the issued date, the vehicle's registration may be suspended. The owner's ability to register or renew vehicle registrations in the State of Wisconsin may also be suspended. The registered owner of the vehicle may be responsible for any additional fees or expenses incurred as a result of the suspension.

4.08 PROHIBITED U-TURNS.

It shall be unlawful for the operator of any vehicle to turn his vehicle so as to proceed in the opposite direction at the following intersections:

Canal Street and Congress Street

4.09 WEIGHT LIMITATIONS.

No vehicle or combination of vehicles with a gross weight of twenty-two thousand (22,000) pounds including load shall be operated upon any street in the Village of Bloomington except Canal Street, Mill Street, the alley of Block 1, Original Tafton and south from said alley on Congress Street to Canal Street, and all streets, alleys, or roadways located south of Canal Street to the South Corporation line, unless license or permission to do so is first obtained from the Village Director of Public Works.

4.10 PENALTY

Refer to Section 4.02 of this Chapter.

4.11 ENFORCEMENT.

This Ordinance shall be enforced in accordance with the provisions of section 345.20 to 345.53, Chapter 299 and 66.12, Wisconsin Statutes.

- (1) Stipulation of Guilt or No Contest. Stipulations of guilt or no contest may be made by persons arrested for violations of this ordinance in accordance with Section 66.12(1)(b), Wisconsin Statutes, whenever the provisions of Section 345.27 are inapplicable to such violations. Stipulations shall conform to the form contained on the uniform traffic citation and complaint under Section 345.11, Wisconsin Statutes, and may be accepted within five (5) days of the date of the alleged violation. Stipulations may be accepted by the Clerk of County Court. 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 section 345.37, Wisconsin Statutes.
- (2) Deposits. Any person stipulation guilt or no contest under sub. (1) of this section must make the deposit required under section 345.26, Wisconsin Statutes, or, if the deposit is not established under such statute, shall deposit a forfeited penalty as provided in the schedule established by the Chief of Police and approved by the Village Board. Deposits may be brought or mailed to the office of the Chief of Police or the Clerk of Court as directed by the arresting officer. Deposits for parking or nonmoving violations shall be mailed or brought to the Village Clerk.

The amount of the deposit shall be determined in accordance with the deposit schedule established by the Board of County Judges. The deposit shall include Court costs and suit tax.

- (3) Notice of Demerit Points and Receipt. Every officer accepting a forfeited penalty or money deposit under this section shall receipt therefor in triplicate as provided in section 345.26(3)(b), Wisconsin Statutes. Every officer accepting a stipulation under the provisions of this Ordinance shall comply with the provisions of sections 343.27, 346.28, 345.26(1)(1) and 345.27(2), Wisconsin Statutes, and shall require the alleged violator to sign a statement of notice in substantially the form contained on the uniform traffic citation and complaint promulgated under section 345.11, Wisconsin Statutes.
- (4) Forfeitures in Treasury; Officer to Post Bond, Qualify. Any officer accepting deposits or forfeited penalties under this Ordinance shall deliver them to the Village Clerk-Treasurer within twenty (20) days after receipt. Any officer authorized to accept deposits under section 345.26, Wisconsin Statutes, or this Ordinance, shall qualify by taking the oath prescribed by section 19.01, Wisconsin Statutes, and filing an official bond in the sum of \$1,000.00 as described by section 19.01.

4.12 SEVERABILITY.

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

4.15 ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES ROUTES AND REGULATIONS

- A. Purpose. The purpose of this ordinance is to establish all-terrain vehicle (“ATV”) and utility terrain vehicle (“UTV”) routes in the Village of Bloomington and regulate the operation of all-terrain and utility terrain vehicles in the Village.
- B. Statutory Authority. This route is created as authorized and the operation of ATVs and UTVs shall be subject to all provisions of sec. 23.33 Wis. Stats., as the same may be amended from time to time.
- C. Routes.
 - 1. All state highways, county roads and village streets within the Village of Bloomington.

- (a) The Bloomington Village Council shall have the authority to suspend operation in any of the above areas for up to ninety (90) days due to hazard, construction, or emergency conditions in any designated area or route segment listed above.
 2. Routes shall be marked with uniform ATV/UTV route signs in accordance with Chap. NR 64.12(7), Wisconsin Administrative Code. Signs will be supplied and installed by ATV/UTV club under the direction of public works director.
 3. No person may do any of the following in regard to signs marking Village ATV/UTV routes:
 - (a) Intentionally remove, damage, deface, move or obstruct any uniform ATV/UTV or trail sign or standard or intentionally interfere with the effective operation of any uniform ATV/UTV route or trail sign or standards if the sign or standard is legally placed by the state, any municipality or any authorized individual.
 - (b) Possess any uniform ATV/UTV route or trail sign or standard of type established by the department for the warning instruction or information of the public, unless he or she obtained the uniform ATV/UTV route or trail sign or standard in the lawful manner. Possession of a uniform ATV/UTV route or trail sign or standard creates a rebuttal presumption of illegal possession.
- D. **Operating Requirements and Restrictions.** In addition to the provisions of sec. 23.33, Wis. Stats., the following restrictions are placed on the use of the Village ATV/UTV routes designated by this ordinance:
1. Routes shall be closed from 1:00 a.m. to 5:00 a.m. daily.
 2. All persons who operate an ATV or UTV on any route must be at least 16 years of age and must possess a valid driver's license.
 3. All operators and passengers of any ATV or UTV under the age of 18 must wear protective head gear as defined in Wisconsin State Statute 23.33(3g).
 4. All operators and passengers of any UTV shall be required to wear a seatbelt when traveling on any route, street or alley within the Village.
 5. No person may operate an ATV or UTV within the Village unless the owner or operator of the vehicle has in effect a liability insurance policy covering the vehicle being operated and such operator has in his or her immediate possession a certificate or proof of insurance covering such vehicle which shall be displayed upon demand from any traffic or law enforcement officer.
 6. No person shall operate an ATV or UTV within the Village unless the vehicle conforms to all noise, registration, and other equipment requirements as stated in the

Wisconsin Statutes, Wisconsin Administrative Code, or the Municipal Code of the Village of Bloomington.

7. All ATV/UTV operators shall ride single file in the driving lane with the flow of traffic.
 8. Every ATV or UTV operating within the Village must always display a lighted headlight and taillight. Brake lights on all vehicles must be operational.
 9. It shall be unlawful for any person to possess an open intoxicant container while operating, or as a passenger, on an ATV or UTV on any route, street or alley within the Village.
 10. All ATV/UTV operators shall observe the roadway speed limits as posted.
 11. It shall be unlawful for any person to operate any ATV or UTV in such a manner as to cause, by excessive and unnecessary acceleration, the tires of such vehicle to spin or emit loud noises, to unnecessarily throw stones or gravel, or cause the front wheels of the vehicle to leave the ground; nor shall such driver cause to be made by excessive and unnecessary acceleration any loud noise as would disturb the peace.
 12. The Village of Bloomington may close routes at any time for construction, maintenance, or other reason.
 13. The Village Council of the Village of Bloomington may approve the addition of new routes and may change or close any existing routes as needed through removal of all route signage and providing notice to the public.
 14. All ATV/UTV operators shall be in compliance with all of the provisions of statutes, rules, regulations, and ordinances applicable to such ATV or UTV operation.
 15. No person shall operate any ATV or UTV within any Village park or public area not designated as a roadway.
 16. No person shall operate any ATV or UTV on any private property without permission of the property owner.
 17. No person shall operate an ATV or UTV upon any sidewalk or pedestrian way within the Village unless it is being used for snow removal.
- E. **Enforcement.** This ordinance shall be enforced by any law enforcement officer of the Grant County Sheriff's Department, Wisconsin State Patrol, Department of Transportation or the Department of Natural Resources. The enforcement provisions under sec. 23.33(12), Wis. Stats., as the same may be amended from time to time, are adopted by reference as if fully set forth herein.

- F. **Penalties.** Penalties as found in sec. 23.33(13), Wis. Stats., as the same may be amended from time to time, are adopted by reference as if fully set forth herein.
- G. **Severability.** The provision of this ordinance shall be deemed severable and it is expressly declared that the Village Council would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other person circumstances shall not be deemed affected.