

TITLE 8 - MOTOR VEHICLES AND TRAFFIC

CHAPTER 1 - TRAFFIC AND PARKING

Table of Contents

Title 8 - Motor Vehicles and Traffic	1
CHAPTER 1 - Traffic and Parking	1
8.1.1General Provisions.....	3
8.1.1.01Official Traffic Signs and Control Devices; Prohibited Signs, Signals And Markers	3
8.1.1.02Registration Record of Vehicle As Evidence	3
8.1.1.03RESERVED.....	3
8.1.1.04RESERVED.....	3
8.1.1.05RESERVED.....	3
8.1.1.06RESERVED.....	3
8.1.2Controlled Intersections; Street Traffic Regulations.....	4
8.1.2.01Operators to Obey Traffic Control Devices.....	4
8.1.2.02Stop Signs	4
8.1.2.03Yield Signs.....	4
8.1.2.04Speed Limits	4
8.1.2.05Through Streets Designated.....	5
8.1.2.06Heavy Traffic Routes.....	5
8.1.2.07RESERVED.....	7
8.1.2.08RESERVED.....	7
8.1.2.09RESERVED.....	7
8.1.2.10RESERVED.....	7
8.1.2.11RESERVED.....	7
8.1.3Parking Regulations.....	7
8.1.3.01Restrictions on Parking; Posted Limitations.....	7
8.1.3.02Parking Restrictions During Temporary Snow Removal or Street Maintenance.....	7
8.1.3.03Stopping or Parking Prohibited in Certain Specified Places	8
8.1.3.04Parking Reserved for Vehicles of Disabled.....	9
8.1.3.05Unattended Motorized Machinery	9
8.1.3.06Angle Parking	9
8.1.3.07Parking Prohibited Zones	9
8.1.3.08Parking Prohibited During Certain Hours	9
8.1.3.09Parking During Snow Removal.....	9
8.1.3.10Removal of Illegally Parked Vehicles.....	10
8.1.3.11Inoperable, Wrecked or Discarded Vehicles.....	10
8.1.3.12Display and Sale of Vehicles and Other Items for Sale.....	10
8.1.3.13RESERVED.....	11
8.1.3.14RESERVED.....	11
8.1.3.15RESERVED.....	11

Title 8 - Motor Vehicles and Traffic, Chapter 1 - Traffic and Parking.....Table of Contents

- 8.1.3.16RESERVED..... 11
- 8.1.3.17RESERVED..... 11
- 8.1.4Miscellaneous Provisions. 11
 - 8.1.4.01Motor Vehicles on Pedestrian Ways and Over Passes 11
 - 8.1.4.02Unauthorized Operation of Motor Vehicles on Public or Private
Property..... 12
 - 8.1.4.03Driving Over Curbing or Safety Islands Prohibited 13
 - 8.1.4.04RESERVED..... 13
 - 8.1.4.05RESERVED..... 13
 - 8.1.4.06RESERVED..... 13
 - 8.1.4.07RESERVED..... 13
 - 8.1.4.08RESERVED..... 13
- 8.1.5Enforcement and Penalties. 13
 - 8.1.5.01Penalties 13
- Table of Authorities for Title 8 - Motor Vehicles and Traffic, Chapter 1 - Traffic and
Parking..... 15
- Index to Title 8 - Motor Vehicles and Traffic, Chapter 1 - Traffic and Parking 1-16

8.1.1 General Provisions

8.1.1.01 Official Traffic Signs and Control Devices; Prohibited Signs, Signals And Markers

(A) Duty of Town Clerk to Erect and Install Uniform Traffic Control Devices.

Whenever traffic regulations created by this chapter require the erection of traffic control devices for enforcement, the Town Clerk shall provide for the procurement, erection and maintenance of uniform traffic control devices conforming to the Uniform Traffic Control Device Manual promulgated by the Wisconsin Department of Transportation, giving notice of such traffic regulation to the users of the streets and highways on which such regulations apply. Whenever State law grants discretion to local authorities in erecting or placement of a uniform traffic control device, devices shall be erected in such locations and in such a manner as, in the judgment of the Town Clerk or the Clerk’s designee, will carry out the purposes of this chapter and give adequate warning to users of the streets and highways of the Town of Grafton.

(B) Prohibited Signs and Markers in Highways.

No person other than an officer authorized by this Chapter to erect and maintain official traffic control devices or his or her designee shall place within the limits of any street or highway maintained by the Town any sign, signal, marker, mark or monument unless permission is first obtained from the Town Clerk or, where applicable, the State Highway Commission. Any sign, signal, marker, mark or monument placed or maintained in violation of this Subsection shall be subject to removal as provided in Section 8.1.1.01(C) below.

(C) Removal of Unofficial Signs Markers, Signals and Traffic Control Devices.

The Town Clerk or designee may remove any sign, signal, marking or other device which is placed, maintained or displayed in violation of this Chapter or state law. Any charge imposed against premises for removal of a prohibited or illegal sign, signal, marking or device shall be reported by the Town Clerk or the Clerk’s designee to the Town Board for review and certification at its next regular meeting following the imposition of the charge. Any charge not paid on or before the next succeeding November 15 shall be placed upon the tax roll for collection as other special municipal taxes.

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

8.1.1.02 Registration Record of Vehicle As Evidence

When any vehicle is found upon a street or highway in violation of any provision of this Chapter regulating the stopping, standing or parking of vehicles and the identity of the operator cannot be determined, the owner, as shown by the ownership registration of the vehicle supplied by the Wisconsin Department of Transportation, or a comparable authority of any other state, shall be deemed to have committed the violation for purposes of enforcement of this chapter and specifically Section 8.1.1 and shall be subject to the applicable forfeiture penalty; provided the defenses defined and described in Sec. 346.485(5)(b), Wis. Stats., shall be a defense for an owner charged with such violation.

8.1.1.03 RESERVED

8.1.1.04 RESERVED

8.1.1.05 RESERVED

8.1.1.06 RESERVED

8.1.2 Controlled Intersections; Street Traffic Regulations.

8.1.2.01 Operators to Obey Traffic Control Devices

Every operator of a vehicle approaching an intersection at which an Official Traffic Control Device is erected in accordance with this Chapter shall obey the direction of such Official Traffic Control Device as required by the Wisconsin Statutes.

8.1.2.02 Stop Signs

Operators of vehicles approaching a stop sign shall stop before entering a highway as required by Sec. 346.46, Wis. Stats.

- (1) Cheyenne Avenue at Falls Road
- (2) Fox Lane at Cheyenne Avenue
- (3) Lancaster Court
- (4) Prairieview Lane at Cedar Sauk Road
- (5) Preserve Court at Pioneer Road (Hwy. C)
- (6) Split Rail Court at County Trunk Highway W (Port Washington Road)
- (7) Tallgrass Drive at County Trunk Highway C
- (8) Tallgrass Drive at Falls Road.
- (9) Ulao Court at Ulao Parkway
- (10) Valley Court at Pleasant Valley Road
- (11) W. Ridgewood Court
- (12) Waterstone Drive at County Trunk Highway C.
- (13) Waterstone Drive at Ulao Road.

8.1.2.03 Yield Signs

Operators approaching intersections at which a yield sign has been installed shall yield the right-of-way to other vehicles as required by Sec. 346.18(6), Wis. Stats.

8.1.2.04 Speed Limits

(A) State Speed Limits Adopted.

The provisions of Sections 346.57, 346.58 and 346.59, Wis. Stats., relating to the maximum and minimum speed of vehicles are hereby adopted as part of this section as if fully set forth herein, except as specified by this Section pursuant to Section 349.11(3)(c), Wis. Stats., where the Town Board has determined that the statutory speed limits are unreasonable, unsafe and imprudent and has modified such limits.

(B) Speed Limits Increased or Established.

The speed limits are increased or established as hereinafter set forth in this subsection upon the following streets or portions thereof between the limits designated:

- (1) A Forty-five (45) Mile Per Hour Speed Limit On The Following Highways:
 - (a) Lake Shore Road
- (2) A Thirty-five (35) Mile Per Hour Speed Limit on the Following Highways:
 - (a) East Cedar Creek Road
 - (b) East River Road
 - (c) Falls Road between the point 1/3 mile east of the eastern limits of the Village of Grafton and the intersection of Falls Road and Port Washington Road.
 - (d) High Bluff Drive
 - (e) Lake Shore Road
 - (f) Maple Road from Cedar Creek Road to Cedar Sauk Road
 - (g) Maryglade Drive

- (h) Pleasant Valley Road
- (i) River Bend Road
- (j) Terminal Road
- (k) Ulao Parkway from Highway 32 to Highway W
- (l) Ulao Parkway from Hwy 32 to Lakeshore Rd.)
- (3) A Thirty (30) Mile Per Hour Speed Limit on the Following Highways:
 - (a) The north side of the Cedar Creek Road from its intersection with CTH 0, westerly to its intersection with 5th Avenue.
- (4) A Twenty-five (25) Mile Per Hour Speed Limit On The Following Highways:
 - (a) Bluestem Court
 - (b) Cedar Creek Road (from CTH 0 to Maple Drive)
 - (c) Cheyenne Avenue
 - (d) Dropseed Court
 - (e) Edgewood Drive
 - (f) Falls Road between the eastern limits of the Village of Grafton and a point 1/3 mile to the east of such eastern Village limits.
 - (g) High Knoll Drive
 - (h) Hillside Court
 - (i) Prairieview Lane on the West side (south bound.)
 - (j) Preserve Court
 - (k) Shady Lane
 - (l) Sharon Lane
 - (m) Tallgrass Drive
 - (n) Trillium Court
 - (o) Trillium Road
 - (p) Ulao Court
 - (q) Ulao Lane
 - (r) Waterstone Court
 - (s) Waterstone Drive
 - (t) Whitewater Court
 - (u) Wild Duck Court
 - (v) Wolf Creek Court

State Law Reference: Section 349.11(3)(c), Wis. Stats.

8.1.2.05 Through Streets Designated

In the interest of public safety and pursuant to Sec. 349.07, Wis. Stats., the streets or portions thereof set forth in this Section are declared to be through highways, and traffic signs or signals giving notice thereof shall be erected by the Town Clerk or his designee in accordance with Section 8.1.3.

State Law Reference: Sec. 349.07, Wis. Stats.

8.1.2.06 Heavy Traffic Routes

(A) Definition.

For purposes of this Section, heavy traffic shall be defined as:

- (1) All vehicles not operating completely on pneumatic tires; and
- (2) All vehicles or combination of vehicles, other than motor buses, designed or used for transporting property of any nature and having a gross weight of more than fifteen thousand (15,000) pounds.

(B) Prohibited Routes.

Heavy traffic is prohibited from using any Town street or highway not designated as a heavy traffic route. This Section shall not act to prohibit heavy traffic from using a Town street or highway for the purpose of obtaining orders for supplies or moving or delivering supplies or commodities to or from any place of business or residence which has an entrance on such street or highway. Furthermore, this Section will not act to prohibit heavy traffic from using any Town streets over which are routed state trunk highways. When being driven to the site of any construction, repair or maintenance of electric, gas or water service, vehicles owned and operated by a public utility will be exempt from the provisions of this Section.

(C) Administration.

The Town Clerk shall administer this Section. Administration shall include:

- (1) Posting of signs. Appropriate signs shall be posted giving notice of this Section and of the heavy traffic routes established herein. Yellow sign posts may also be used to designate heavy traffic routes.
- (2) Maps. Heavy traffic routes shall be shown on the Official Traffic Map.
- (3) Construction equipment.
 - (a) The Town Clerk may grant temporary permits to allow heavy construction equipment to use Town streets or highways not designated as heavy traffic routes. These permits may be granted only when use of a non-designated route is necessary for the equipment to reach a construction site. No permit may be issued unless the person or corporation owning the equipment agrees to reimburse and hold the Town harmless for any damage done to the Town street by the equipment and/or any personal injury or property damage caused in part or in whole by the street damage.
 - (b) Town or county owned or operated equipment is specifically excluded from the provisions of this Section.

(D) Liability.

Any operator, corporation, owner or agent whose heavy traffic vehicle damages any Town streets or highways in violating this Section shall be liable and required to pay the Town the cost of repair or replacement of the damaged street or highway.

(E) Special and Seasonal Weight Limitations.

The Town Clerk shall have the authority to impose special or seasonal weight limits on any highway, bridge or culvert maintained by the Town to prevent injury to the roadway or for the safety of the users of such bridge or culvert and shall be responsible for the erection of Uniform Traffic Control Devices giving notice thereof in accordance with the provisions of 8.1.1.01(A).

(F) Heavy Traffic Routes Designated.

All streets and alleys within the Town of Grafton are designated Class B highways subject to the weight limitations of Sec. 349.17, Wis. Stats., except the following highways or parts thereof within the jurisdiction of the Town are hereby designated heavy traffic routes and are excepted from the Class B weight limitations:

(G) Seasonal Weight Limits.

The Town shall have the authority to impose special or seasonal weight limits to prevent injury to the roadway of any highway, bridge or culvert within the jurisdiction of the Town 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 Sec. 348.17, Wis. Stats.

- 8.1.2.07 RESERVED**
- 8.1.2.08 RESERVED**
- 8.1.2.09 RESERVED**
- 8.1.2.10 RESERVED**
- 8.1.2.11 RESERVED**

8.1.3 Parking Regulations.

8.1.3.01 Restrictions on Parking; Posted Limitations

(A) Parking Restricted.

The Town Board may designate certain streets or portions of streets as no parking or no stopping or standing zones or as zones for parking by physically handicapped persons and may limit the hours in which the restrictions apply. The Town shall mark, by appropriate signs, each zone so designated in accordance with the provisions of Sec. 349.13, Wis. Stats.

- (1) High Bluff Drive from Lakeshore Road to the West to the cul-de-sac at the termini to the East between the hours of 9:00 PM and 6:00 AM.
- (2) Lakeside Court from Lakeshore Road to the West to the cul-de-sac at the termini to the East between the hours of 10:00 PM and 6:00 AM.

(B) Obedience.

Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, no person shall stop or park a vehicle in an established no stopping or standing zone when stopping or standing is prohibited. No vehicle shall be parked in a no parking zone during hours when parking is prohibited except physicians on emergency calls or as permitted by state law or elsewhere by this Code of Ordinances.

(C) Town Clerk.

The Town Clerk is hereby granted the authority, within the reasonable exercise of police power to prohibit, limit the time or otherwise restrict the stopping, standing or parking of vehicles beyond the provisions of Ch. 346.

(D) Devices Required.

No prohibition, restriction or limitation on parking or restriction on movement or turning of heavy traffic and imposition of special weight limits is effective unless official traffic control devices have been placed or erected indicating the particular prohibition, restriction or limitation.

8.1.3.02 Parking Restrictions During Temporary Snow Removal or Street Maintenance.

(A) Street Maintenance.

Whenever it is necessary to clear or repair a Town roadway or any part thereof, the Town Clerk may post such highways or parts thereof with signs bearing the words "No Parking -Street Maintenance Work." Such signs shall be erected at least two (2) hours prior to the time that street maintenance work is to be commenced. No person shall park a motor vehicle in violation of such signs.

(B) Temporary Parking Restrictions for Special Events.

Pursuant to the provisions of Subsection 349.13, Wis. Stats., the Town Clerk is authorized to direct that temporary "No Parking" signs be erected during parades, festivals and other authorized events that require the regulating of vehicle stopping, standing or parking on Town roadways. The temporary regulation shall be limited to the time the event exists or is likely to exist.

(C) Parking During Snow Removal.

No person shall park, place or leave standing any automobile, truck or other vehicle on any street or public way after one (1) hour from the time such area has been designated and marked with signs or barriers by the Town Clerk indicating no parking due to snow removal.

8.1.3.03 Stopping or Parking Prohibited in Certain Specified Places

(A) Parking Prohibited at All Times.

Except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers or property and while the vehicle is attended by a licensed operator so that it may be moved promptly in case of an emergency or to avoid obstruction of traffic, no person shall at any time park or leave standing any vehicle:

- (1) Within an intersection.
- (2) On a crosswalk.
- (3) Alongside or opposite any highway excavation or obstruction when such stopping or standing would obstruct traffic or when pedestrian traffic would be required to travel in the roadway.
- (4) On the roadway side of any parked vehicle unless double parking is clearly indicated by official traffic signs or markers.
- (5) Within twenty (20) feet of the driveway entrance to a fire station.
- (6) Upon any portion of a highway where and at the time when stopping or standing is prohibited by official traffic signs indicating the prohibition of any stopping or standing.
- (7) In any place or manner so as to obstruct, block or impede traffic.
- (8) Within ten (10) feet of a fire hydrant, unless a greater distance is indicated by an official traffic sign.
- (9) Upon any portion of a highway where and at the time when parking is prohibited, limited or restricted by official traffic signs.
- (10) Upon any bridge.
- (11) Upon any street or highway within the Town limits any vehicle which faces a direction different from the direction of normal traffic flow for the lane of traffic in which said vehicle is stopped or standing.
- (12) In a loading zone.
- (13) Within four (4) feet of the entrance to an alley, private road or driveway.
- (14) In any Town park when said park is closed to the public.
- (15) On any highway adjacent to the entrance to a school, church, theater, hotel, hospital or other place of public assemblage during any period prohibited by an official traffic sign.

(B) Parking in Driveways.

No person shall park or leave standing any motor vehicle in any private driveway without the permission of the owner or lessee of the property which such driveway is located, whether or not such driveway is posted to lest or restrict parking.

(C) Vehicles Not to Block Private Drive, Alley or Fire Lane.

No vehicle shall, at any time, be parked so as to unreasonably restrict the normal access to any private drive, alley or fire lane. Said access shall be deemed to be unreasonably restricted if any vehicle is parked within four (4) feet of either side of said access. Upon discovery by a law enforcement officer or upon complaint by the owner of any such blocked drive, alley or fire lane, the law enforcement officer may order said vehicle towed from such position at the risk and expense of the owner of said vehicle.

- (D) **Parking Vehicle for Repair or to Display for Sale Prohibited.**
No person shall stand or park a vehicle on any street, alley, public right-of-way or municipal parking lot in the Town for the purpose of repairing said vehicle or to display such vehicle for sale.

8.1.3.04 Parking Reserved for Vehicles of Disabled

When official traffic signs indicating such restriction have been erected in accordance with Section 8.1.3 of this Chapter, no person shall park, stop or leave standing any vehicle upon any portion of a street, highway or public or private parking facility reserved for vehicles displaying special registration plates or identification cards or emblems issued by the Wisconsin Department of Transportation or, for vehicles registered in another jurisdiction, by such other jurisdiction designating the vehicle as one used by a physically disabled person.

8.1.3.05 Unattended Motorized Machinery

It shall be unlawful for any person, firm, or corporation to permit any construction, earth-grading or farm machinery which is self-propelled and moves upon the surface of the earth and which is owned or controlled by him to stand for any period of time unattended in the right of way. It shall also be unlawful to leave such unattended machinery without locking the ignition system or otherwise rendering said machinery inoperable so as to prevent any person unauthorized by the owner or individual in control thereof from starting said machinery.

8.1.3.06 Angle Parking

Angle parking or parking diagonally is prohibited on all the streets, alleys and highways of the Town except in the places where vehicle parking markers indicate that angle parking is permissible. All vehicles shall park parallel to the pavement edge, except where streets and parking lots are so marked for angle parking.

8.1.3.07 Parking Prohibited Zones

- (A) No person shall park, stop or leave standing any vehicle for any purpose upon the following highways or parts of highways at any time:
 - (1) Both sides of River Bend Road for the entire length of the road, which runs from the corporate limits of the Village of Grafton on the north, to Lakefield Road on the south. The penalty was increased to \$50.00
 - (2) Stonecroft Drive from Lakeshore Road to the East to the end of Stonecroft Drive to the West.

8.1.3.08 Parking Prohibited During Certain Hours

No person shall park, stop or leave standing any vehicle except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers and while the vehicle is attended by a licensed operator, so that it may be moved promptly in case of an emergency or to avoid obstruction of traffic upon the following highways, at the time indicated, when official traffic signs restricting and limiting such parking are posted on the portion of those highways:

- (A) **Generally**
For a period of time longer than thirty (30) minutes between the hours of 2:00 a.m. and 5:00 a.m., except physicians on emergency calls on any street or highway in the Town.

8.1.3.09 Parking During Snow Removal

No person shall park, place or leave standing or unattended any automobile, truck or other vehicle on any street, highway, road or public way for a period of seventy-two (72) hours at any time when the average snowfall at any one (1) time in the Town of Grafton shall exceed two (2) inches measured on the level. The purpose of this Section is to enable snow removal

equipment of the Town and County Highway Departments to traverse the full width of the roadways in the Town of Grafton.

8.1.3.10 Removal of Illegally Parked Vehicles.

- (A) Hazard to Public Safety.
Any vehicle parked, stopped or standing upon a highway or public parking lot or ramp in violation of any of the provisions of this Chapter is declared to be a hazard to traffic and public safety.
- (B) Removal by Operator.
Such vehicle shall be removed by the operator in charge, upon request of any traffic officer, to a position where parking is permitted or to a private or public parking or storage premises.
- (C) Removal by Traffic Officer.
Any traffic officer after issuing a citation for illegal parking, stopping or standing of an unattended vehicle in violation of this Chapter, is authorized to remove such vehicle to a position where parking is permitted.
- (D) Removal by Private Service.
The officer may order a motor carrier holding a permit to perform vehicle towing services, a licensed motor vehicle salvage dealer or a licensed motor vehicle dealer who performs vehicle towing services to remove and store such vehicle in any public storage garage or rental parking grounds or any facility of the person providing the towing services.
- (E) Towing and Storage Charges.
In addition to other penalties provided in this Chapter, the owner or operator of a vehicle so removed shall pay the actual cost of moving, towing and storage. If the vehicle is towed or stored by a private motor carrier, motor vehicle salvage dealer or licensed motor vehicle dealer, actual charges regularly paid for such services shall be paid. If the vehicle is stored in a public storage garage or rental facility, customary charges for such storage shall be paid. Upon payment, a receipt shall be issued to the owner of the vehicle for the towing or storage charge.

8.1.3.11 Inoperable, Wrecked or Discarded Vehicles.

- (A) Storage Prohibited.
No person owning or having custody of any partially dismantled, nonoperable, wrecked, junked or discarded motor vehicle shall allow such vehicle to remain on any public highway or parking lot.
- (B) Exemptions.
This Section shall not apply to a motor vehicle in an appropriate storage place or depository maintained in a lawful place and manner authorized by the Town.

8.1.3.12 Display and Sale of Vehicles and Other Items for Sale.

- (A) Definitions
In this section, the following definitions will be used:
 - (1) "Vehicle" shall mean any motor vehicle, car, truck, tractor, motorcycle, boat, camper, recreational vehicle, trailer, go-kart, farm implement, agricultural equipment or other item designed for transporting or carrying people, cargo or itself from one location to another.
 - (2) "Sale Items" shall mean any items other than vehicles, including household goods or personal possessions, such as appliances, tires, equipment or other

pieces of personal property, which are placed in public view for sale, or otherwise advertised for sale.

- (3) "Sale" shall include sale, lease, rental, exchange, donation or simply giving an item away.
- (4) "Property Owner" means the current owner, resident tenant, or lessee of the real property on which the vehicle or item is displayed.

(B) Conditional Use Permit Needed

Except as provided in subsections 8.1.3.12(C) and 8.1.3.12(D) below, no person may sell or display for sale vehicles or other sale items on or from any property in the Town unless a Conditional Use Permit provides for such use.

(C) Exceptions for Vehicles Sales

Vehicles may be offered and displayed for sale on property by the property owner, provided the following conditions are met:

- (1) Nor more than one vehicle may be sold or displayed for sale at any one time on one piece of property;
- (2) Not more than two vehicles may be sold in any one calendar year;
- (3) Not more than three vehicles may be displayed for sale in any one calendar year;
- (4) Such vehicles may not be displayed for more than a total of 30 aggregate days in any one calendar year.

(D) Exceptions for Sale Items

Sale Items may be offered and displayed for sale on property by the property owner, provided the following conditions are met:

- (1) Nor more than one sale item may be sold or displayed for sale at any one time on one piece of property. For purposes of this subsection, a set of items, such as a set of tires, or a pair of items which must be sold as a set are considered one sale item;
- (2) Not more than two sale items may be sold in any one calendar year;
- (3) Not more than three sale items may be displayed for sale in any one calendar year;
- (4) Notwithstanding subsections (3) and (4) above, sale items may not be displayed for more than a total of 30 aggregate days, inclusive of all sale items displayed under this section, in any one calendar year.

8.1.3.13 RESERVED

8.1.3.14 RESERVED

8.1.3.15 RESERVED

8.1.3.16 RESERVED

8.1.3.17 RESERVED

8.1.4 Miscellaneous Provisions.

8.1.4.01 Motor Vehicles on Pedestrian Ways and Over Passes

No person shall operate or park any motor vehicle on any pedestrian way or pedestrian overpass within the Town of Grafton except municipal or county maintenance vehicles.

8.1.4.02 Unauthorized Operation of Motor Vehicles on Public or Private Property

(A) Purpose.

- (1) The unauthorized off-road operation of motor vehicles has resulted in serious damage to public and private lands including damage or destruction of vegetation, animal life and improvement to the lands; and
- (2) The unauthorized off-road operation of motor vehicles has resulted in the permanent scarring of land and an increase in both erosion and air pollution; and
- (3) The unauthorized off-road operation of motor vehicles has resulted in collisions and near collisions threatening the life and safety of the operators of such vehicles as well as of other persons; and
- (4) The unauthorized off-road operation of motor vehicles has resulted in a loss of the privacy, quietude and serenity to which the owners and users of land are rightfully entitled.

(B) Definitions.

For purposes of this Section, the terms below shall be defined as follows:

- (1) Unauthorized shall mean without the express prior consent of the owner, lessee, manager or other person authorized to give consent by the owner or lessee of land. Authorization shall not be implied from a failure to post private or public land.
- (2) Off-Road shall mean any location which:
 - (a) Is not a paved or maintained public street or alley; or
 - (b) Is not used or maintained by the owner or lessee of land as a driveway, parking lot or other way for motor vehicles; or
 - (c) Is a private trail for use only by the owner or his permittees for recreational or other vehicular use. Off-road shall not include any creek bed, riverbed or lake provided, however, that this Subsection shall not apply to snowmobiles or other vehicles being operated on the ice covering such creek bed, riverbed or lake.
- (3) Operation shall mean the physical manipulation or activation of any of the controls of a motor vehicle necessary to put it in motion.
- (4) Motor Vehicle shall mean, for purposes of this Section, any vehicle which is self-propelled and shall include but not be limited to automobiles, trucks, jeeps, vans, motorcycles, motorbikes, go-karts, motorized three-wheeled vehicles, all-terrain vehicles, mopeds, snowmobiles, dune buggies and tractors. Motor vehicle shall not mean any airplane, railroad train, boat, wheelchair or bicycle. A vehicle which would otherwise be defined as a motor vehicle under this Section shall not be so defined while:
 - (a) It is being operated solely for the purpose of construction or maintenance of an improvement to land or solely for access to construction or maintenance sites provided such operation is by persons having legitimate business on such lands or sites;
 - (b) It is being operated by or at the direction of public employees or utility company employees as part of their employment duties.
 - (c) It is being operated by the holder of an easement or right of access on or over the land on which operation is occurring or the holder's employees or agents.

(C) Unauthorized Off-Road Operation Prohibited.

- (1) The unauthorized off-road operation of a motor vehicle is prohibited.

(2) It shall be unlawful to operate any minibike, go-kart, all-terrain vehicle or any other motor-driven craft or vehicle principally manufactured for off-highway use on Town streets, alleys, parks, sidewalks, bikeways, parking lots or on any public lands or private lands or parking lots held open to the public. The operator shall at all times have the consent of the owner before operation of such craft or vehicle on private lands.

(D) Prohibited Use of Snowmobile Trails.
Except as provided in Section 8.1.4.02(B)(4) above, no person shall operate any motor vehicle other than a snowmobile on a snowmobile trail.

(E) Operation of Snowmobiles, Motorcycles, Mopeds, Minibikes or All-Terrain Vehicles Within Any Park Prohibited.
No person shall operate a snowmobile, motorcycle, moped, minibike or all-terrain vehicle (ATV) within any parks or athletic fields within the Town except in designated areas.

8.1.4.03 Driving Over Curbing or Safety Islands Prohibited

(A) Driving Over Safety Zones or Islands Prohibited.
Whenever safety zones or safety islands are marked in accordance with the Wisconsin Uniform Traffic Control Device Manual, no operator of a vehicle shall at any time drive through or over a safety zone or safety island.

8.1.4.04 RESERVED

8.1.4.05 RESERVED

8.1.4.06 RESERVED

8.1.4.07 RESERVED

8.1.4.08 RESERVED

8.1.5 Enforcement and Penalties.

8.1.5.01 Penalties

(A) Forfeiture Penalty.
The penalty for violation of any provision of this Chapter shall be a forfeiture as hereafter provided, together with court costs and fees prescribed by Sections 814.63(1) and (2) 814.65(1), Wis. Stats., the penalty assessment for moving traffic violations and the driver improvement surcharge imposed by Sec. 346.655, Wis. Stats., where applicable. Payment of the judgment and applicable court costs, fees, assessments and surcharges may be suspended by the sentencing court for not more than sixty (60) days. Any person eighteen (18) years of age or older who shall fail to pay the amount of the forfeiture, court costs, any penalty assessment or driver surcharge or other penalty imposed for violation of any provision of this Chapter may, upon order of the court entering judgment therefor and having jurisdiction on the case, be imprisoned until such forfeiture, costs and assessment are paid, but not exceeding ninety (90) days.

(B) Other Sanctions.
(1) By Court.
Nothing herein shall preclude or affect the power of the sentencing court to exercise additional authorities granted by the Wisconsin Statutes to suspend or revoke the operating privileges of the defendant, order the defendant to submit

to assessment and rehabilitation programs or to attend traffic safety school in addition to payment of a monetary penalty or in lieu or imprisonment.

(2) By the Town.

No person who has been convicted of a violation of any provision of this Chapter shall be issued a license or permit by the Town, except a dog license, until the forfeiture imposed for such violation and any penalty assessment, court costs and fees or surcharge is paid.

(C) Forfeitures For Parking Violations.

(1) Forfeitures for Uniform Statewide Parking, Stopping and Standing Offenses.

Minimum and maximum forfeiture for violation of non-moving traffic violations shall be as found in the current edition of the Revised Uniform State Traffic Deposit Schedule.

(2) Penalty for Other Parking Violations.

The penalty for all other parking violations not included under Subsection (1) above shall be a forfeiture of not less than Twenty Dollars (\$20.00) nor more than Forty Dollars (\$40.00) for the first offense and not less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00) for the second offense within a year.

(3) Other Violations.

Any person who shall violate any provision of this Chapter for which a penalty is not otherwise established by this Section shall be subject to a forfeiture of not less than Ten Dollars (\$10.00) nor more than Two Hundred Dollars (\$200.00).

State Law Reference: Sec. 345.28, Wis. Stats.; Chapter Trans. 128, Wis. Adm. Code.

**Table of Authorities for
Title 8 - Motor Vehicles and Traffic, Chapter 1 - Traffic and Parking**

Statutes

345.28	14
346.18(6).....	4
346.41	3
346.46	4
346.485(5)(b).....	3
346.57	4
346.58	4
346.59	4
346.655	13
348.17	6
349.07	5
349.09	3
349.11(3)(c)	4, 5
349.13	7
349.17	6
814.63(1).....	13
814.65(1).....	13
Ch. 346.....	7

Other Authorities

Uniform State Traffic Deposit Schedule	14
Uniform Traffic Control Device Manual.....	3

Town Code

8.1.1	3
8.1.1.01(A).....	6
8.1.1.01(C).....	3
8.1.3	5, 9
8.1.3.12(C).....	11
8.1.3.12(D).....	11
8.1.4.02(B)(4)	13

Wis. Adm. Code

Chapter Trans. 128.....	14
-------------------------	----

Index to Title 8 - Motor Vehicles and Traffic, Chapter 1 - Traffic and Parking

Administration	6
Airplane	12
All-Terrain Vehicles	12
Angle Parking	9
Assessment	14
Automobiles.....	12
Bicycle.....	12
Boat.....	12
Cedar Creek Road.....	5
Certain Hours.....	9
Charges.....	10
<u>Clerk</u>	3, 5, 6, 7, 8
Conditional Use Permit.....	11
Exceptions	11
Construction equipment.....	6
Construction Machinery	9
Controlled Intersections; Street Traffic Regulations	4
Court Costs	13
Curbing	13
Definitions	10, 12
Devices Required.....	7
Disabled	9
Discarded.....	10
Display for Sale	9
Driver Improvement Surcharge	13
Dune Buggies.....	12
Earth-Grading Machinery	9
Edgewood Drive	5
Enforcement.....	13
Evidence	3
Exemptions	10
Farm Machinery.....	9
Fees.....	13
Festivals	7
First Offense	14
Forfeiture	13
Forty-five (45) Mile Per Hour	4
General Provisions.....	3
Go-Karts	12
Hazard to Public Safety	10
Heavy Traffic.....	5
Heavy Traffic Routes Designated.....	6
Highway Excavation.....	8
Hillside Court.....	5
Identity.....	3

Title 8 - Motor Vehicles and Traffic, Chapter 1 - Traffic and Parking..... Index

Inoperable,	10
Jeeps.....	12
Law Enforcement Officer	8
Liability.....	6
License Or Permit	14
Maps	6
Miscellaneous Provisions	11
Mopeds	12
motor vehicle	12
Motor Vehicle.....	12
Motor Vehicles on Pedestrian Ways and Over Passes	11
Motorbikes.....	12
Motorcycles	12
Motorized Three-Wheeled Vehicles.....	12
No Parking.....	7
No Standing	7
No Stopping.....	7
officer.....	10
Official Traffic Signs and Control Devices; Prohibited Signs, Signals And Markers	3
Off-Road.....	12
Off-Road Operation	12
On a crosswalk.....	8
Operating Privileges	13
Operation	12
Operators to Obey Traffic Control Devices.....	4
Other Sanctions.....	13
Parades.....	7
Park.....	13
park parallel	9
Parking in Driveways	8
Parking Prohibited	9
Parking Prohibited at All Times	8
Parking Regulations.....	7
pedestrian way	11
Penalties.....	13
penalty.....	14
Physically Handicapped.....	7
Pleasant Valley Road.....	5
Police Officer.....	7
Posting of signs.....	6
Prohibited Routes.....	6
<u>Prohibited Signs</u>	3
Purpose	12
Railroad Train.....	12
Rehabilitation.....	14
Removal.....	10
Repair.....	9
RESERVED.....	3, 7, 11, 13

Restrictions on Parking..... 7

Roads

- Bluestem Court..... 5
- Cedar Creek Road..... 5
- Cedar Sauk Road 4
- Cheyenne Avenue..... 4, 5
- County Trunk Highway C 4
- Dropseed Court..... 5
- East Cedar Creek Road..... 4
- East River Road..... 4
- Falls Road..... 4, 5
- Fox Lane..... 4
- High Bluff Drive..... 4, 7
- High Knoll Drive..... 5
- Hwy. C..... 4
- Lake Shore Road 4
- Lakeside Court..... 7
- Lancaster Court 4
- Maple Road 4
- Maryglade Drive..... 4
- Pioneer Road 4
- Prairieview Lane..... 4, 5
- Preserve Court 4, 5
- River Bend Road 5, 9
- Shady Lane 5
- Sharon Lane..... 5
- Stonecroft Drive 9
- Tallgrass Drive 4, 5
- Terminal Road..... 5
- Trillium Court..... 5
- Trillium Road 5
- Ulao Court 4, 5
- Ulao Lane 5
- Ulao Parkway 4, 5
- Ulao Road..... 4
- W. Ridgewood Court..... 4
- Waterstone Court..... 5
- Waterstone Drive..... 4, 5
- Whitewater Court 5
- Wild Duck Court 5
- Wolf Creek Court 5

Safety Islands..... 13

Safety Zones or Islands..... 13

Sale Of Other Items 10

Sale Of Vehicles 10

Seasonal Weight Limitations..... 6

Seasonal Weight Limits..... 6

Second Offense..... 14

Title 8 - Motor Vehicles and Traffic, Chapter 1 - Traffic and Parking..... Index

Sixty Days.....	13
Snow Removal.....	7, 8, 9
Snowmobile Trails.....	13
Snowmobiles.....	12
Special Events.....	7
Special Weight Limitations	6
Speed Limits	4
State Highway Commission	3
Stop Sign.....	4
Stop Signs	4
Stopping or Parking Prohibited in Certain Specified Places	8
Street Maintenance.	7
Thirty (30) Mile Per Hour.....	5
Thirty Minutes	9
Thirty-five (35) Mile Per Hour	4
Through Streets.....	5
Town Board	3, 4, 7
Town Clerk	6
Tractors	12
Traffic Control Devices	3
Traffic Officer.....	10
Traffic Safety School.....	14
Trucks	12
Twenty-five (25) Mile Per Hour.....	5
Unattended Motorized Machinery.....	9
Unauthorized.....	12
Unauthorized Operation of Motor Vehicles on Public or Private Property.....	12
Uniform State Traffic Deposit Schedule	14
Uniform Traffic Control Devices	3, 6
Vans	12
Vehicles Not to Block Private Drive, Alley or Fire Lane.....	8
Wheelchair.....	12
Within an intersection.....	8
Wrecked.....	10
Yield Sign	4
Yield Signs.....	4