

CHAPTER 7

TRAFFIC CODE

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7.01 STATE TRAFFIC LAWS ADOPTED. Except as otherwise specifically provided in this chapter, the statutory provision in **Chs. 340 to 348, Wis. Stats.**, describing and defining regulations with respect to vehicles and traffic, and **Ch. 350, Wis. Stats.**, with respect to snowmobiles, inclusive 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 adopted and by reference made a part of this chapter 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 chapter. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this chapter in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the State.

7.02 OFFICIAL TRAFFIC SIGNS AND SIGNALS. (1) WHO MAY ERECT. The Village Board by its agent is hereby authorized and directed to procure, erect and maintain appropriate standard traffic signs, signals and markings conforming to the rules of the State Traffic Control Devices Manual giving such notice of the provisions of this chapter as required by State law. Signs shall be erected in such locations and manner as the Village Board shall determine will best effect the purposes of this chapter and give adequate warning to users of the street or highway.

(2) Due to the seasonal nature of the Village and the enormous increase of traffic in tourist season, the Village may act upon **Wisc. Stat. 349.07(6)(b)** in erecting temporary signs at crosswalks on Highway 42 for limited periods of time for the safety of pedestrians; such signs shall not physically obstruct traffic. *(6/11/01)*

(3) **REMOVAL OF UNOFFICIAL SIGNS AND SIGNALS.** The Village Board shall have the authority granted by **349.09, Wis. Stats.**, and is hereby directed to order the removal of a sign, signal, marking or device placed, maintained or displayed in violation of this chapter or **346.40, Wis. Stats.** Any charge imposed on a premises for removal of such an illegal sign, signal or device shall be reported to the Village Board at its next regular meeting for review and certification.

7.03 SPEED LIMITS. No motor vehicle shall travel in excess on 25 mph on any Village street except as otherwise posted.

7.04 THROUGH STREETS DESIGNATED. The following streets are hereby designated as through streets:

WATER STREET (Highway 42)
CHURCH STREET (Highway Q)

Through traffic by vehicles not operating completely on pneumatic tires and all vehicles or combinations of vehicles, other than motor busses, designated or used for transporting property of any nature and having a gross weight of more than 10,000 pounds prohibited on those posted Village-owned roads within Village limits as deemed appropriate by the Village Board. *Added Dec 10th, 2001*

~~**7.05 PARKING LIMITATIONS.** No person shall stop, park or leave standing any motor vehicle on any street within the Village where have been posted signs stating "no parking" or other words to that effect. *Removed May 10th, 2010*~~

7.05 PARKING LIMITATIONS

- (A) *No Parking* along the indicated side of the following streets during the months of June, July, August, and September:
- (1) Church Street – south side
 - (2) Cedar Street – south side
 - (3) Spruce Lane – south side
 - (4) Anderson Lane – south side
 - (5) Moravia Street – west side, unless otherwise indicated by signage
- (B) *No overnight parking.* When signs are erected and public notice given thereof, no person shall park a vehicle for a period of time longer than 30 minutes between the hours of 2:00 a.m. and 6:00 a.m. of any day, unless permission is granted by Village Board or its designee. Signs prohibiting overnight parking shall be erected and maintained at the following locations:
- (1) Parking area behind the Fire Station on Norway
- (C) *Boat trailer parking.* Boat trailer parking, with or without a vehicle, is allowed unless otherwise addressed by the Village Board;
- (D) *Oversized vehicle parking.* Large vehicles are encouraged to park where they have the least amount of visual effect on ingress or egress from parking areas.

(E) *Declaration of an emergency.*

(1) The Village President, during periods of emergency and immediately thereafter, may declare a state of public emergency and the duration thereof. Emergency thoroughfares shall be designated by public proclamation by means of radio, placards, or other means of communication.

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

(3) During periods of heavy snowfall in which the accumulation of snow has narrowed the streets or impeded normal traffic flow, the Village President may declare a snow emergency and may impose emergency parking restrictions while the snow emergency is in effect.

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

(F) *Exceptions.* Emergency personnel responding to an emergency are exempt from the parking restrictions of this subsection.

(G) *Enforcement.* Any Village elected official, as well as any State or County law enforcement officers, may issue parking citations. Cash deposit may be made in the amount of \$25. *Added May 10th, 2010*

7.06 Snowmobile Ordinance--Intent. The intent of this ordinance is to provide a means for persons to travel on public roadways from a residence or lodging establishment within the limits of the Village of Ephraim, Door County, Wisconsin, for the shortest distance that is necessary for a person to operate a snowmobile to the snowmobile route or trail that is closest to that residence or lodging establishment.

1. **Statutory Authority.** This ordinance is adopted as authorized under s. **350.18(3)(a).**

2. **Designated Roadways and/or Highways.** No person shall operate a snowmobile on a roadway or shoulder of a highway not designated as a snowmobile route, other than the following listed roadways or shoulders: Highway 42, County Highway Q, Moravia Street, Townline Road.

3. **Conditions.** This ordinance designates the roadways and/or shoulders of specific roads for snowmobile travel by persons residing in or staying at a lodging establishment within the limits of the Village of Ephraim, Door County, Wisconsin, to travel for the shortest distance that is necessary to reach the

snowmobile trail or route that is closest to that residence or lodging establishment subject to the following conditions: Under no circumstances will persons travel across private property without permission of the landowner.

4. **Speed.** A snowmobile operated on a portion of the roadway or shoulder of a highway pursuant to this ordinance shall observe a roadway speed limit of no more than 20 m.p.h.

5. **Enforcement.** This ordinance shall be enforced by any law enforcement officer of Door County, Wisconsin.

6. **Penalties.** Wisconsin state snowmobile penalties as found in **s. 350.11(1)(a) Wisc. Stats.**, are adopted by reference.

7. **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. 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 persons or circumstances shall not be affected.

8. **Effective date.** The ordinance is effective the day after passage and posting, November 11, 1997.

7.07 NEIGHBORHOOD ELECTRIC VEHICLES

(A) Purpose. The purpose of this Section is to allow and regulate the use of Neighborhood Electric Vehicles within the municipal limits of the Village of Ephraim as authorized by 2005 Wisconsin Act 329.

(B) Definitions.

The following terms or phrases, when capitalized herein shall have the following meaning:

Neighborhood Electric Vehicles (NEV) A motor vehicle that is propelled by 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.

(C) Operation of NEV

(1) A person may operate an NEV on any roadway within the municipal boundaries of the Village of Ephraim that has a posted speed limit of 35 miles per hour or less, subject to the following restrictions:

- (a) The NEV must be titled and registered through the Department of transportation (WisDOT), Division of Motor Vehicles (DMV).
- (b) The NEV must be operated by a licensed Driver, and
- (c) The NEV must be operated only on local roads specifically approved for NEV operation.
- (d) The person operating the NEV must obey all state and local traffic regulations not inconsistent with this ordinance.

(D) Enforcement and Penalty

(1) Enforcement of this ordinance regulating the use of neighborhood electric vehicles with the Village shall be pursuant to section 7.11 of the Village of Ephraim code of Ordinances. If not otherwise provided, the penalty for unauthorized use of a neighborhood electric vehicle within the Village of Ephraim shall be \$50.00 per occurrence. *Added May 10th, 2010*

7.10 PENALTY. The penalty for violation of any provision of this chapter shall be a forfeiture as hereafter provided together with costs under **345.27, Wis. Stats.**, and a penalty assessment where applicable, as required under **165.87 (2), Wis. Stats.**

(1) **STATE FORFEITURE STATUTES.** Any forfeiture for violation of **7.01** shall conform to the forfeiture permitted to be imposed for violation of the statutes adopted by reference, including any variations or increases for subsequent offenses.

(2) **LOCAL REGULATIONS.** Except as otherwise provided in this chapter, the penalty for violation of **7.02 through 7.05** of this chapter shall be as provided in **25.04 of this Municipal Code.**

7.11 ENFORCEMENT. (1) **ENFORCEMENT PROCEDURE.** This chapter shall be enforced according to **66.12, 345.20 to 345.53 and Ch. 799, Wis. Stats.**

(2) **DEPOSIT.** (a) Any person arrested for a violation of this chapter may make a deposit of money, as directed by the arresting officer, at the Village Hall or at the office of the Clerk of Court, or by mailing the deposit to such places. The arresting officer or the person receiving the deposit shall comply with **343.27, Wis. Stats.**, or, if the deposit is mailed, the signed statement required under **343.27** shall be

mailed with the deposit. The arresting officer or the person receiving the deposit shall notify the arrested person, orally or in writing, that:

1. If he fails to appear in court at the time fixed in the citation, he will be deemed to have tendered a plea of no contest and submitted to a forfeiture plus costs not to exceed the amount of the deposit; or
 2. If he fails to appear in court at the time fixed in the citation, and if the court does not accept the deposit as a forfeiture, he will be summoned into court to answer the complaint.
- (b) The amount of the deposit shall be determined in accordance with the deposit schedule established by the Wisconsin Judicial Conference and shall include the penalty assessment under **165.87, Wis. Stats.**, and costs. If a deposit schedule has not been established, the arresting officer shall require the alleged offender to deposit the forfeiture established by the Village Board, which shall include the penalty assessment established under **465.87, Wis. Stats.** Deposits for nonmoving violations shall not include the penalty assessment.
- (c) The arresting officer or the person receiving the deposit shall issue the arrested person a receipt therefor as required by **345.26 (3) (b), Wis. Stats.**
- (3) **STIPULATION OF NO CONTEST.** Except as otherwise provided by statute, any person charged with a violation of this chapter may make a stipulation of no contest pursuant to **345.27, Wis. Stats.**, which shall be received at the Village Hall or the office of the Clerk of Court within 10 days of the date of the alleged violation. Such person shall, at the time of the stipulation, make the deposit required under **sub. (2)** if he has not already done so. 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 **345.37, Wis. Stats.**

