

CHAPTER 41

OTHER TRAFFIC REGULATIONS

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41.01 ABANDONMENT OF VEHICLES PROHIBITED

No person shall leave unattended any motor vehicle, trailer, semi-trailer or mobile home on any public street or highway or private or public property in the Village of Pulaski, for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. Whenever any such vehicle has been left unattended on any street or highway in the Village of Pulaski or upon private or public property without the permission of the property owner or other person charged with the lawful jurisdiction thereof for more than seventy-two (72) hours, the vehicle shall be deemed abandoned and constitutes a public nuisance.

41.02 REMOVAL, IMPOUNDMENT, STORAGE, NOTICE, OR RECLAIMER OF ABANDONED VEHICLES

- (a) **REMOVAL.** Any police officer who discovers any motor vehicles, trailer, semi-trailer or mobile home on any public street or highway or private or public property in the Village of Pulaski which has been abandoned shall cause the vehicle to be removed to a suitable place of impoundment. Upon removal of the vehicle the police officer shall notify the Police Chief or his designee of the abandonment and of the location of the impounded vehicle.

- (b) **STORAGE AND RECLAIMER.** Any abandoned vehicle which is determined by the Police Chief or his designee to be abandoned shall be retained in storage for a period of fourteen (14) days after certified mail notice, as hereinafter provided, has been sent to the Wisconsin titled owner and/or secured party of record with the Wisconsin Motor Vehicle Division, except that if the Police Chief or his designee determines an abandoned vehicle to have a value of less than One Hundred (\$100) Dollars, or that the cost of towing and storage charges for impoundment will exceed the value of the vehicle, it may be junked or sold by direct sale to a licensed salvage dealer after having been retained in storage for a period of seven (7) days and after certified mail notice, as hereinafter priced, has been sent to the Wisconsin titled owner or secured party of record with the Wisconsin Motor Vehicle Division, provided that it is first determined that the vehicle is not reported stolen or wanted for evidence or other reason. Any such vehicle which may be lawfully reclaimed may be released upon the payment of all accrued charges, including towing storage and notice charges and upon presentation of the vehicle title or other satisfactory evidence to the Police Chief or his designee to prove an ownership or secured party interest in said vehicle.
- (c) **NOTICE TO OWNER OR SECURED PARTY.** Certified mail notice, as referred to herein, shall notify the Wisconsin titled owner of the abandoned vehicle, if any, and/or the secured party of record with the Wisconsin Motor Vehicle Division, if any, that the vehicle has been deemed abandoned and impounded by the Village of Pulaski; the "determined value" of the abandoned vehicle or if the cost of towing and storage charges will exceed the determined value of the vehicle; that if the vehicle is not wanted for evidence or other reason, the vehicle may be reclaimed upon the payment of all accrued charges, including towing, storage and notice charges, within fourteen (14) days of the date of notice, unless the vehicle has been determined to have a value less than One Hundred (\$100) Dollars or that the cost of towing and storage charges for impoundment will exceed the value of the vehicle, in which case the vehicle may be reclaimed within seven (7) days upon the payment of the aforesaid charges; and that the owner or aforesaid secured party may, upon request, be granted a hearing relating to the determinations made with respect to said vehicle within the period that such vehicles may be reclaimed.

41.03 DISPOSAL OF ABANDONED VEHICLES

Any abandoned vehicle impounded by the Village of Pulaski which has not been reclaimed or junked or sold by direct sale to a licensed salvage dealer pursuant to the provisions of this Chapter, may be sold by public auction sale, or public sale calling for the receipt of sealed bids. Class I Notice, including the description of the vehicle, the name(s) and address(es) of the Wisconsin titled owner and secured party of record, if known, and the time of sale, shall be

published before the sale.

41.04 REPORT OF SALE OR DISPOSAL

Within five (5) days after the direct sale or disposal of a vehicle as provided for herein, the Chief of Police or his designee shall advise the State of Wisconsin Department of Transportation, Division of Motor Vehicles, of such sale or disposal on a form supplied by said Division. A copy of the form shall be given to the purchaser of the vehicle.

41.05 OWNER RESPONSIBLE FOR IMPOUNDMENT AND DISPOSAL COSTS

The owner of any abandoned vehicle, except a stolen vehicle, is responsible for the abandonment and all costs of impounding and disposing of the vehicle. Costs not covered from the sale of the vehicle may be recovered in a civil action by the Village against the owner.

41.06 STORAGE OF JUNKED VEHICLES

- (a) **STORAGE PROHIBITED.** No disassembled or inoperable and unlicensed and no junked or wrecked motor vehicles shall be stored or allowed to remain in the open upon public or private property within the Village for in excess of three (3) days unless it is in connection with an automotive sales or repair business enterprise located in a properly zoned area.
- (b) **REMOVAL FROM PUBLIC PROPERTY.** Whenever the Police Department shall find any such vehicles placed or stored in the open upon public property within the corporate limits of the Village, they shall cause such vehicles to be removed by junk or salvage yard and stored in such junk or salvage yard for a period of thirty (30) days, at the end of which time such junk or salvage yard shall dispose of such vehicles, unless previously claimed by the owner.
- (c) **REMOVAL FROM PRIVATE PROPERTY.** Whenever the Police Department shall find any such vehicles placed or stored in the open upon private property within the Village, they shall notify the owner of the property upon which such vehicles are placed or stored of the intention of said Village to remove such vehicles immediately. If such vehicles are not removed within three (3) days, the Police Department shall cause vehicles to be removed, the cost of such removal to be charged to the property from which they are removed, which charges shall be entered as a special charge on the tax roll.
- (d) **FEES.** If such vehicles are claimed by the owner, the junk or salvage yard shall charge a reasonable fee for handling and storage.
- (e) **EXEMPTION.** The provisions of this section shall not apply to Auto Sal-

vage Yards and/or Junk Yards that are licensed under this code pertaining to such operations.

41.07 ILLEGALLY PARKED VEHICLE

Whenever any traffic officer shall find a vehicle standing upon a street or in a parking lot in violation of the provisions of this Chapter, he may move such vehicle or require the operator in charge thereof to move such vehicle to a position permitted under this Chapter. If such moving is done by the Police Department or by a garage at the request of the Police Department, the cost of such towing shall be charged to such owner or operator of such vehicle, and such cost shall be paid by such owner or operator before he can recover possession of such vehicle. Any vehicle which has been left parked in a municipal parking lot in excess of seventy-two (72) hours shall be conclusively presumed to be abandoned and may be removed to a public storage lot and in such case the owner shall pay the storage fees on said vehicle before he may recover the possession thereof.

41.08 ENFORCEMENT

- (a) **UNIFORM MUNICIPAL CITATION FOR HIGHWAY VIOLATIONS.** The uniform traffic citation promulgated under §345.11, Wisconsin Statutes, shall be used for violations of this Chapter relating to highway use except as herein provided.
- (b) **PARKING VIOLATIONS.** The special traffic citation described and defined in Chapter 39 shall be used for enforcement of violations of rules of the road relating to parking of vehicles adopted by reference in Sec. 40.02 of this Chapter.
- (c) **POLICE DEPARTMENT TO RECEIVE STIPULATIONS AND PENALTIES.** Stipulations, forfeited penalties and deposits for obtaining release from arrest authorized under this ordinance may be accepted at the Village Police Department Offices by the Chief or officer designated by him. The officer authorized to accept penalties and deposits shall be bonded and such bond shall be filed with the Municipal Court Clerk.
- (d) **PENALTIES.** Any person who shall violate any provision of this Chapter shall be subject to the General Penalty provisions of Sec. 1.06 of this Code, except that any person who shall violate any provision of this Chapter, for which there is a corresponding State Statute, shall be subject to the statutory penalty.

41.09 REGISTRATION OF BICYCLES

- (a) **REGISTRATION AND LICENSING.** No person shall operate a bicycle upon any street within the Village unless said bicycle shall first have been properly registered and licensed as herein provided.
- (b) **APPLICATION.** Every owner or operator of any bicycle within the Village shall each year file with the Police Department an application for registration and license of such bicycle which shall be in such form as said Department shall adopt and shall include the name and address of the applicant (including parents' names if applicant is a minor), the name of the owner of the bicycle and the serial number of the same. The owner of any bicycle which does not have a serial number stamped upon it shall cause such a number to be stamped previous to application. The application shall be accompanied by payment of a registration fee as provided in sub(b). Such registration shall be effective for a period of two (2) years and may be renewed upon expiration.
- (c) **IDENTIFICATION STICKER.** Upon registration, the Police Department shall issue to the owner of the registered bicycle an identification sticker, numbered to correspond with the registration of the bicycle. The sticker shall be attached to the frame of the bicycle and shall not be removed during the period of registration. In the event of the loss of a sticker, such loss shall be immediately reported to the Department. The Police Department or its designated representatives shall keep a record of the date of issuance of such registration tag, to whom issued, and the number thereof. A copy of said application shall be kept on record or filed in the office of the Clerk of the Village of Pulaski, and duplicate filed with the County Sheriff-Traffic Department, or in such other place as the Village Board may designate.
- (d) **PURCHASE OR TRANSFER OF BICYCLE.** Any person who shall purchase a bicycle which is not registered shall make application for registration for the same immediately and before operation within said Village. In the event of sale or other transfer of any bicycle which is registered, the new owner shall, within five (5) days after said sale or transfer, make application for registration, and a new registration and tag shall be issued for the same. The fee in any of these cases shall be \$1.00.
- (e) **RENTED BICYCLES.** Every person, firm or corporation residing or situated within Village limits and engaged in the business of renting bicycles shall furnish to every renter an identification card which must be exhibited by such renter to any police officer upon demand.
- (f) **INSPECTION OF BICYCLES.** The Department shall inspect each bicycle presented for registration and shall have the authority to refuse to register any bicycle found to be in an unsafe mechanical condition. A bicycle shall be deemed to be in an unsafe mechanical condition only if the operation of such bicycle should threaten the safety and bodily welfare of the operator or others. If registration is denied by reason of this Section, the

owner seeking registration shall be informed of the cause of such denial and, where possible, the nature of repairs necessary to put the bicycle in a safe mechanical condition.

41.10 REGULATION OF BICYCLE OPERATIONS

- (a) **GENERAL REGULATIONS.** All bicycle operators shall be subject to and comply with all traffic regulations of the Village of Pulaski.
- (b) **SPECIFIC REGULATIONS.** In addition to the regulations set forth in sub(a), the following shall also apply to all bicycles operated in the Village of Pulaski:
 - (1) Every bicycle operated between one-half (1/2) hour after sunset and one-half (1/2) hour before sunrise shall be equipped with a lamp firmly attached to the front of such bicycles, exhibiting a white light to the front, visible at a distance of 500 feet, and with a lamp on the rear exhibiting a red light, visible at a distance of 500 feet, except that a red reflector of a type approved by the Wisconsin Department of Transportation may be used in lieu of a rear light.
 - (2) Every bicycle shall be equipped with a bell or similar device which shall sound a reasonable warning to the other users of the highway.
 - (3) It shall be unlawful for any person riding upon a bicycle to cling to or attach himself or his bicycle to any moving vehicle.
 - (4) The operator of a bicycle shall not carry another person on the bicycle when in operation, unless the bicycle has two (2) regulation seats and handlebars, nor shall the operator of any bicycle tow or draw any coaster, sled, person on roller skates, toy vehicle or any other similar article or vehicle, except in pursuit of a business venture.
 - (5) No person operating a bicycle shall participate in any race, speed or endurance contest with any other moving vehicle on a village street or highway.
 - (6) No rider of a bicycle shall practice any fancy, acrobatic riding or stunts while operating such bicycle.
 - (7) The rider of a bicycle shall ride as near as practical to within five (5) feet of the right-hand curb or edge of the roadway except when passing another vehicle or in making a left-hand turn at an intersection, and when riding in groups, shall ride in single file, unless it is unavoidable.
 - (8) No bicycle shall be parked upon any sidewalk area or upon any roadway in such a manner as to interfere with free passage of the public.
 - (9) All bicycles shall stop for arterial highway signs and automatic

traffic signals. Every person operating a bicycle shall be subject to the provisions of this Title dealing with the operation of vehicles and the rules of the road.

- (10) The use of any sidewalk within the Village limits for the running or propelling of any bicycle is hereby prohibited and declared unlawful, except bicycles may be propelled upon the sidewalks on unpaved streets; such rider shall, when meeting or passing a pedestrian, dismount from.

41.11 PENALTIES

Every violation of Sec. 41.09 and Sec. 41.10(b) shall result in a fine of not more than \$10.00. Every violation of Sec. 41.10(a) shall result in a fine as specified in Sec. 1.06. In cases of multiple bicycle violations by any owner during any single registration period, the registration of owned bicycles may be revoked and the tags for such bicycles confiscated.