

CHAPTER 38

TRAFFIC REGULATION

38.01	State Traffic Laws Adopted
38.02	Definitions
38.03	Speed Limits
38.04	Through Highways Designated
38.05	Weight Limits and Heavy Traffic Routes
38.06	Accident Reports
38.07	Powers of Police Department
38.08	Disorderly Conduct With a Motor Vehicle
38.09	Erection of Official Traffic Signs and Signals
38.10	School Bus Warning Lights
38.11	Horses on Village Streets and Sidewalks
38.12	Enforcement
38.13	Failure to Obey Traffic Regulations
38.14	Proof of Vehicle Insurance Coverage
38.15	Penalties

38.01 STATE TRAFFIC LAWS ADOPTED

Pursuant to the provisions of Chapter 349 of the Wisconsin Statutes, except as otherwise specifically provided in this Chapter, the statutory provisions in Chapters 340 to 350 of the Wisconsin Statutes describing and defining regulations with respect for vehicles and traffic for which the penalty is a forfeiture only, including penalties to be imposed and procedure for prosecution, are hereby adopted and by reference made a part of this ordinance as if fully set forth therein. Any act required to be performed or prohibited by reference is required or prohibited by this Chapter. Any future amendments, revisions or modifications of 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 of Wisconsin.

38.02 DEFINITIONS

For the purposes of this Code of Ordinances and this Chapter thereof, the words, phrases and definitions contained and set forth in Chapter 340 of the Wisconsin Statutes, together with any subsequent additions, amendments or modifications thereof, are hereby incorporated by reference and made a part hereof as through fully set forth herein. The words, phrases and definitions referenced as §340.01 (1m) through (75) may be referred to and cited herein as Sec.

38.02(a)(1m) through (75).

38.03 SPEED LIMITS

- (a) **GENERAL SPEED LIMIT.** Except as otherwise specified in sub(b) and (c), the speed limit for all street in the Village shall be 25 miles per hour.
- (b) **DESIGNATED SPEED LIMITS.** Pursuant to Section 349.11, Wis. Stats., the speed limits set forth in ss. 46.57 and 346.58, Wis. Stats., in fixed miles per hour, are increased or decreased as follows upon the following designated streets or portions of streets in the Village:
 - (1) Except for vehicles described in §346.58(1), Wis. Stats., 35 miles per hour on the following streets or portions of streets:
 - a. St. Augustine Street, from a point 0.2 miles north of its intersection with Chicago Street, to the northern limits of the Village.
 - b. Highway 32 from south Village limit to its intersection with Green Bay Street.
 - c. County Trunk "B", from the eastern boundary line of the Village to State Highway "32". (**Ord. #421**)
 - (2) Except for vehicles described in §346.58(1), Wis. Stats., 25 miles per hour on the following streets or portions of streets:
 - a. Such portions of any streets within, contiguous or adjacent to school, playground or park zones.
 - (3) The speed limit in all alleyways located in the Village shall be 15 miles per hour.
 - (4) The speed limit on Crest Drive, between State Hwy. "32" and St. Augustine Street, shall be 45 mph. (**Ord. #441-05**)

38.04 THROUGH HIGHWAYS DESIGNATED

- (a) **THROUGH HIGHWAYS DESIGNATED.** In the interest of public safety and pursuant to §349.07, Wis. Stats., the following streets or portions thereof are declared to be through highways:
 - (1) St. Augustine Street from the North Village limits to Pulaski Street
 - (2) Pulaski Street from St. Augustine Street to Wisconsin Avenue (3) Wisconsin Avenue to South Village limits
 - (3) Pulaski Street from St. Augustine to West Village limits
- (b) **SIGNAGE.** Traffic signs or signals giving notice thereof shall be erected by the Public Works Department in accordance with this Chapter.

38.05 WEIGHT LIMITS AND HEAVY TRAFFIC ROUTES

- (a) **SPECIAL AND SEASON WEIGHT LIMITATIONS.** The Village Board 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 Village or for the safety of users of such highway, bridge or culvert and shall be responsible for erection of signs giving notice thereof in accordance with s. 349.16, Wis. Stats.
- (b) **HEAVY TRAFFIC ROUTES DESIGNATED.** The following streets and parts of streets within the Village of Pulaski, Wisconsin that are hereby designated heavy traffic routes:
- (1) Wisconsin Street from South Village limits to Pulaski Street
 - (2) Pulaski Street from East Village limits to West Village limits
 - (3) St. Augustine Street from South Village limits to North Village limits
 - (4) Third Avenue from Cedar Street to Pulaski Street
 - (5) East Cedar Street from Wisconsin Street to Markham Drive
 - (6) East Glenbrook Drive from Wisconsin Street to East Village limits
 - (7) Markham Drive from Cedar Street to East Glenbrook Drive
 - (8) Industrial Way from East Glenbrook Drive to Cedar Drive
- (c) **RESTRICTIONS ON USE OF OTHER STREETS BY HEAVY TRAFFIC.** No vehicle which is not equipped with pneumatic tires or has a combined vehicle load weight exceeding 6,000 pounds shall be operated or moved on any street or alley not part of the heavy traffic route designated in Sub(b) of this Section in the Village of Pulaski, except for the purpose of obtaining orders for, moving or delivering supplies or commodities to or from a place of business or residence facing thereon; or, in regard to school buses, the pick-up or drop-off of passengers on a designated and approved school bus route, provided that in no event shall the weight of vehicle and load on such other street exceed the limitations of §§348.15 or 348.16(3) of the Wisconsin Statutes pertaining to class "A" highways or deliveries on Class "B" highways. (Ord. #420)

38.06 ACCIDENT REPORTS

The operator of any vehicle involved in an accident shall within ten (10) days after such accident file with the Village Police Department a copy of the report required by §346.70, Wis. Stats., if any. If the operator is unable to make such report, any occupant of the vehicle at the time of the accident capable of making such report shall have the duty to comply with this section. Such reports shall be subject to the provisions and limitations in §346.70(4)(f) and §346.73, Wis. Stats.

38.07 POWERS OF POLICE DEPARTMENT

- (a) **TRAFFIC SIGNS.** The Police Department shall, in conformance with the State Traffic Control Devices Manual determine the property signs, markers and devices for traffic control within the Village, including, but not limited to safety zones, school zones, park and recreation zones, pedestrian cross-walks and loading zones, and the proper location for such signs, markers or devices.
- (b) **EMERGENCY REGULATIONS.** The Chief of Police may establish and enforce temporary traffic control and parking regulations to cover emergency or special conditions, and all traffic shall be subject thereto.
- (c) **SNOW REMOVAL.** In addition to the provisions of sub(b), the Chief of Police may establish and enforce parking and traffic regulations and prohibitions in certain areas to facilitate snow removal by the Department of Public Works.

38.08 DISORDERLY CONDUCT WITH A MOTOR VEHICLE

- (a) **PROHIBITED.** No person shall cause or provoke disorderly conduct with a motor vehicle or cause a disturbance or annoy one or more persons within the Village by use or operation of any motor vehicle including but not limited to an automobile, truck, motorcycle, minibike or snowmobile.
- (b) **DEFINITION.** Disorderly conduct with a motor vehicle means engaging in violent, abusive, unreasonably loud or otherwise disorderly conduct, including but not limited to unnecessary, deliberate or intentional spinning of wheels, squealing of tires, revving of engine, blowing the horn, causing the engine to backfire or causing the vehicle, while commencing to move or in motion, to raise one or more wheels off the ground.
- (c) **COMPRESSION BRAKES PROHIBITED.** No person shall use motor vehicle brakes within the Village of Pulaski which are in any way activated or operated by the compression of the engine of any such motor vehicle or any unit or part thereof. It shall be an affirmative defense to the prosecution under this Section that such compression brakes were applied in an emergency situation and were necessary for the protection of persons and/or property. **(Ord. #377)**

38.09 ERECTION OF OFFICIAL TRAFFIC SIGNS AND SIGNALS

- (a) **VILLAGE AUTHORITY.** The Village Board shall determine, designate placement of and maintain all traffic control signs, signals, devices, instruments and other traffic control and regulation mechanisms for the control and regulation of vehicular traffic in the Village of Pulaski in the form prescribed by law and in conformity with such uniform rules and regulations as may be required, promulgated or otherwise prescribed by the Wisconsin Department of Transportation.

- (b) **LOCATION.** Traffic control signs, signals, devices, instruments and mechanisms shall be placed and erected in such locations throughout the Village as may be determined by the Village Board.
- (c) **STOP SIGNS.** Stop signs shall be placed at the following locations in the Village of Pulaski:
- (1) For eastbound traffic on Glenbrook Drive at South Wisconsin Street.
 - (2) For westbound traffic on Glenbrook Drive at South Wisconsin Street.
 - (3) For eastbound traffic on Cedar Street at South Wisconsin Street.
 - (4) for north and south bound traffic on South St. Augustine Street on the east and west sides of the street at the horse shoe exit from the Pulaski Middle School. These signs shall be effective from 7:00am to 8:00am and from 3:00pm to 4:00pm on days when school is in session
 - (5) For eastbound traffic on Green Bay Street at South Wisconsin Street.
 - (6) For eastbound traffic on Williams Street at South Wisconsin Street.
 - (7) For eastbound traffic on Summit Street at South Wisconsin Street.
 - (8) For eastbound traffic on East Pulaski Street at South Wisconsin Street.
 - (9) For westbound traffic on East Pulaski Street at South Wisconsin Street.
 - (10) For eastbound traffic on West Glenbrook Drive at South St. Augustine Street.
 - (11) For westbound traffic on Glenbrook Drive at South St. Augustine Street.
 - (12) For eastbound traffic on Memorial Drive at South St. Augustine Street.
 - (13) For eastbound traffic on Cedar Street at South St. Augustine Street.
 - (14) For westbound traffic on Cedar Street at South St. Augustine Street.
 - (15) For eastbound traffic on Helen Street at South St. Augustine Street.
 - (16) For eastbound traffic on Green Bay Street at So. St. Augustine Street.
 - (17) For westbound traffic on Green Bay Street at So. St. Augustine Street.
 - (18) For westbound traffic on Williams Street at South St. Augustine Street.
 - (19) For eastbound traffic on Front Street at South St. Augustine Street.
 - (20) For westbound traffic on Summit Street at South St. Augustine Street.
 - (21) For eastbound traffic on West Pulaski Street at South St. Augustine Street.

- (22) For westbound traffic on East Pulaski Street at North St. Augustine Street.
- (23) For eastbound traffic on Chicago Street at North St. Augustine Street.
- (24) For eastbound traffic on Anthony Lane at North St. Augustine Street.
- (25) For northbound traffic on South St. Augustine Street at East Pulaski Street.
- (26) For northbound traffic on Flora Street at East Pulaski Street.
- (27) For northbound traffic on Pine Street at East Pulaski Street.
- (28) For northbound traffic on Second Avenue at East Pulaski Street.
- (29) For northbound traffic on Third Avenue at East Pulaski Street.
- (30) For northbound traffic on Fourth Avenue at East Pulaski Street.
- (31) For southbound traffic on North Wisconsin Avenue at East Pulaski Street.
- (32) For southbound traffic on North St. Augustine Street at West Pulaski Street.
- (33) For southbound traffic on Main Street at West Pulaski Street.
- (34) For northbound traffic on Lincoln Street at West Pulaski Street.
- (35) For northbound traffic on Johnson Street at West Pulaski Street.
- (36) For southbound traffic on Grant Street at West Pulaski Street.
- (37) For southbound traffic on West Town Road at West Pulaski Street.
- (38) For eastbound traffic on Industrial Way at Cedar Drive.
- (39) For northbound traffic on Cedar Drive at East Glenbrook Drive.
- (40) For southbound traffic on Cedar Drive at East Glenbrook Drive.
- (41) For southbound traffic on Markham Drive at East Glenbrook Drive.
- (42) For northbound traffic on Industrial Way at East Glenbrook Drive.
- (43) For southbound traffic on Karcz Drive at Glenbrook Drive.
- (44) For southbound traffic on Carol Lane at Glenbrook Drive.
- (45) For southbound traffic on Pine Street at Glenbrook Drive.
- (46) For eastbound traffic on Glenbrook Drive at James Court.
- (47) For westbound traffic on Glenbrook Drive at James Court.
- (48) For eastbound traffic on Nancy Lane at Karcz Drive.
- (49) For northbound traffic on Carol Lane at Nancy Lane.
- (50) For eastbound traffic on Nancy Lane at Pine St.
- (51) For westbound traffic on Nancy Lane at Pine St.
- (52) For westbound traffic on Cedar Street at Markham Drive.
- (53) For southbound traffic on Fourth Avenue at Cedar Street.
- (54) For southbound traffic on Third Avenue at Cedar Street.
- (55) For northbound traffic on Karcz Drive at Cedar Street (State Hwy. "32").
- (56) For southbound traffic on Alchris Court at Cedar Street.
- (57) For northbound traffic on Pine Street at Cedar Street.
- (58) For southbound traffic on Pine Street at Cedar Street.

- (59) For southbound traffic on Washington Street at Cedar Street
- (60) For westbound traffic on Cedar Street at Lincoln Street.
- (61) For westbound traffic on Helen Street at Lincoln Street.
- (62) For northbound traffic on Pine Street at Green Bay Street.
- (63) For southbound traffic on Pine Street at Green Bay Street.
- (64) For northbound traffic on Flora Street at Green Bay Street.
- (65) For southbound traffic on Flora Street at Green Bay Street.
- (66) For northbound traffic on Washington Street at Green Bay Street.
- (67) For westbound traffic on Green Bay Street at Lincoln Street.
- (68) For eastbound traffic on Green Bay Street at Lincoln Street.
- (69) For westbound traffic on Green Bay Street at Johnson Street.
- (70) For eastbound traffic on Front Street at Johnson Street.
- (71) For eastbound traffic on Front Street at Lincoln Street.
- (72) For westbound traffic on Front Street at Lincoln Street.
- (73) For westbound traffic on Summit Lane at Lincoln Street.
- (74) For northbound traffic on Pine Street at Williams Street.
- (75) For southbound traffic on Pine Street at Williams Street.
- (76) For northbound traffic on Flora Street at Williams Street.
- (77) For southbound traffic on Flora Street at Williams Street.
- (78) For northbound traffic on Pine Street at Summit Street.
- (79) For southbound traffic on Pine Street at Summit Street.
- (80) For northbound traffic on Flora Street at Summit Street.
- (81) For southbound traffic on Flora Street at Summit Street.
- (82) For eastbound traffic on Second Street at Fourth Avenue.
- (83) For eastbound traffic on First Street at Fourth Avenue.
- (84) For eastbound traffic on First Street at Third Avenue.
- (85) For westbound traffic on First Street at Third Avenue.
- (86) For eastbound traffic on Park Street at Main Street.
- (87) For eastbound traffic on Chicago Street at Main Street.
- (88) For westbound traffic on Chicago Street at Main Street.
- (89) For eastbound traffic on Park Street at Grant Street.
- (90) For westbound traffic on Park Street at Grant Street.
- (91) For westbound traffic on Chicago Street at Grant Street.
- (92) Stop sign with Right Turn No Stop for eastbound traffic on Cedar Street at Markham Drive.
- (93) For northbound traffic on Lincoln Street at West Cedar Street.
- (94) For southbound traffic on Lincoln Street at West Cedar Street.
- (95) For westbound traffic on Cedar Street at Lincoln Street.
- (96) For southbound traffic on James Court at Nancy Lane.
- (97) For northbound traffic on James Court at Nancy Lane.
- (98) For southbound traffic on Pine Street at Glenbrook Drive.
- (99) For northbound traffic on Carol Lane at Nancy Lane.
- (100) For southbound traffic on Carol Lane at Glenbrook Drive.
- (101) For eastbound traffic on Cedar Street at Great American Way.

- (102) For southbound traffic on Great American Way at Glenbrook Drive.
- (103) For northbound traffic on Cedar Drive at Glenbrook Drive.
- (104) For southbound traffic on Cedar Drive at Glenbrook Drive.
- (105) For northbound traffic on Blue Heron Drive at Glenbrook Drive.
- (106) For eastbound traffic on Blue Heron Drive at Pelican Drive.
- (107) For westbound traffic on Blue Heron Drive at Pelican Drive.
- (108) For northbound traffic on Pelican Drive at Glenbrook Drive.
- (109) For eastbound traffic on Nightengale Drive at Pelican Drive.
- (110) For southbound traffic on Nightengale Court at Nightengale Drive.
- (111) For northbound traffic on Washington Street at Green Bay Street.
- (112) For northbound traffic on Washington Street at Helen Street.
- (113) For southbound traffic on Washington Street at Helen Street.
- (114) For southbound traffic on Washington Street at Cedar Street.
- (115) For northbound traffic on James Court at Glenbrook Drive. **(Ord. #364)**
- (116) For southbound traffic on James Court at Glenbrook Drive. **(Ord. #364)**
- (117) For northbound traffic on Pine Street at Nancy Lane. **(Ord. #364)**
- (118) For southbound traffic on Pine Street at Nancy Lane. **(Ord. #364)**
- (119) For northbound traffic on South St. Augustine Street at East Glenbrook Drive. **(Ord. #407)**
- (120) For southbound traffic on South St. Augustine Street at East Glenbrook Drive. **(Ord. #407)**
- (121) For eastbound traffic on Falcon Drive at Pelican Drive. **(Ord. 440-05)**
- (122) For southbound traffic on Johnson Street at West Glenbrook Drive. **(Ord. 440-05)**
- (123) For southbound traffic on Covered Wagon Trail at West Glenbrook Drive. **(Ord. 440-05)**
- (124) For northbound traffic on Rosemary Drive at West Green Bay Street. **(Ord 440-05)**
- (125) For northbound traffic on Patrick Lane at West Green Bay Street. **(Ord. 440-05)**
- (126) For southbound traffic on Steeno Trail at Wendy Way. **(Ord. 440-05)**
- (127) For westbound traffic on Whimbrel Way at So. St. Augustine Street.
- (128) For southbound traffic on Whimbrel Court at Whimbrel Way.
- (129) For eastbound traffic on Falcon Drive at Pelican Drive.
- (130) For northbound traffic on Markham Drive at East Cedar Street. **(Ord. 455-06)**
- (131) For southbound traffic on Lincoln Street at W. Green Bay Street.
- (132) For northbound traffic on Lincoln Street at W. Green Bay Street.
- (133) For southbound traffic on Lincoln Street at Front Street.
- (134) For north bound traffic on Lincoln Street at Front Street.

(135) For southbound traffic on Johnson Street at W. Green Bay Street.

(136) For northbound traffic on Johnson Street at W. Green Bay Street.

(137) For southbound traffic on Johnson Street at Front Street.

(138) For northbound traffic on Johnson Street at Front Street.

(Ord. 516-12)

(d) **TEMPORARY STOP SIGNS.** Temporary stop signs, that being stop signs that are operational at defined times during the day, shall be placed at the following locations in the Village:

(1) For southbound traffic on South St. Augustine Street at the south driveway for the Pulaski Middle School. This sign shall have lights and be effective from 7:00 a.m. to 8:00 a.m. and from 3:00 p.m. to 4:00 p.m. on days when school is in session.

(2) For northbound traffic on South St. Augustine Street at the south driveway for the Pulaski Middle School. This sign shall have lights and be effective from 7:00 a.m. to 8:00 a.m. and from 3:00 p.m. to 4:00 p.m. on days when school is in session.

(3) For eastbound traffic exiting the south driveway of the Pulaski Middle School onto South St. Augustine Street. This sign shall have lights and be effective from 7:00 a.m. to 8:00 a.m. and from 3:00 p.m. to 4:00 p.m. on days when school is in session. *(Ord. 471-08)*

(e) **ALL-WAY INTERSECTIONS.** Any intersection within the Village that has, pursuant to the provisions of Section 38.09(c), stop signs at all for corners shall be designated as an "All-Way Stop" Intersection and shall be signed accordingly. *(Ord. 516-12)*

(Reserved)

38.10 SCHOOL BUS WARNING LIGHTS

Notwithstanding the provisions of §346.48(2)(b)2, Wis. Stats., adopted by reference in Sec. 38.01 of this Code to the contrary, school bus operators shall use flashing red warning lights in residential and business districts when pupils or other authorized passengers are to be loaded or unloaded at locations at which there are no crosswalk or traffic signals so that pupils must cross the street or highway before being loaded or after being unloaded.

38.11 ADDITIONAL TRAFFIC CONTROL REGULATIONS

(a) **REGULATION OF HORSES ON VILLAGE STREETS.** See Sec. 30.11

(b) **REGULATION OF GOLF CARTS ON VILLAGE STREETS.**

- (1) General Authority. Pursuant to the provisions of Sec. 349.18(1m), Wis. Stats., and the provisions of this subsection, the operation of golf carts, as defined in subsection (3) herein below, shall be permitted on all Village streets that have a speed limit of 25 mph or less. Except as provided in subsection (2) herein below, no golf cart may cross any state trunk highway or connecting highway.
- (2) Highway Crossings. Pursuant to Sec. 349.18(1m)(2) golf carts may not cross a state trunk or connecting highway unless all of the following conditions apply:
 - a. The state trunk or connecting highway has a speed limit of 35 miles per hour or less.
 - b. The highway crossing will connect streets within the Village designated for golf cart operation under subsection (b)(1) above.
 - c. The Wisconsin Department of Transportation and the Village have each approved a specific crossing area that is properly marked and the signs necessary to mark the crossing shall erected and maintained. ? Who is going to contact the DOT for authorization of the signs?
- (3) Definition. For purposes of this subsection, the term "golf cart" shall mean a gas or electrically powered vehicle whose speed attainable in one mile does not exceed 20 miles per hour on a paved, level surface, and that is generally designed and intended to convey one or more persons and equipment to play the game of golf in an area designated as a golf course.
- (4) State Driver's License Required. No person may operate a golf cart on any Village street unless then hold a current valid State of Wisconsin Driver's License.
- (5) Hours of Operation. Village of Pulaski permits the operation of golf cart on Village streets from 7:00 AM CST, until Dusk during the month of April 1st and October 31. Operation is prohibited on S. St. Augustine Street Monday-Friday, on S. St. Augustine Street between the hours of 6:30-8:00 AM and 2:00-3:30 PM while school is in session..

Operation is prohibited on E. Pulaski Street, S. Wisconsin Street, and N. St. Augustine Street (State Highway 32) and W. Pulaski Street (State Highway 160) at all times.

- (6) Traffic and Parking Regulation Compliance. The operators of golf carts on Village streets shall be subject to all applicable traffic and parking regulations. The operation of a golf cart shall not impede traffic flow while being operated on village streets.
- (7) Equipment Requirements.
 - a. Headlights. All golf carts operating on Village streets shall be equipped with and display while operating, properly functioning headlights that shall display a white or clear light and be visible from a distance of 500 feet.
 - b. Taillights. All golf carts operating on Village streets shall be equipped with and display while operating, properly functioning taillights that shall be red in color and be visible from a distance of 500 feet.
- (8) Registration and Inspection. Before operating on any street within the Village the golf cart shall first be inspected by and registered with the Pulaski Police Department and obtain from the Department an annual Golf Cart Registration Permit under the following provisions:
 - a. Inspection Requirements:
 1. The golf cart can only be registered by the owner thereof who shall provide proof of ownership and proof of insurance at the time of inspection.
 2. The Registrant must provide proof of a valid Wisconsin Driver's License.
 3. The golf cart must meet all equipment requirements identified in this subsection together with such safety and equipment inspection requirements as the Department shall establish and provided from time to time.
 - b. Golf Cart Registration Fee. The fee for the annual golf cart registration permit from the Village shall be \$35.00, the registration sticker shall be visible from the rear (driver side) of the golf cart.

- (9) Enforcement. Violation of any provision of Section 38.11 shall be subject to the penalty provisions of Sec. 38.15 hereof

(c) **REGULATION OF ATV/UTV ON VILLAGE STREETS.**

- (1) General Authority. Pursuant to the provisions of, except as otherwise specifically provided in this Section, Chapter 23 and Chapter NR64 of the Wisconsin Statutes, the operation of ATV/UTV, as defined in subsection (3) herein below, shall be permitted on all Village streets.
- (2) Definitions. The definitions prescribed in Sec. 23.33(1), Wis. Stats., shall apply to the Section; and, as used in this Section, the following terms shall have the meaning indicated:
- a. "All Terrain Vehicle" ("ATV") shall mean a motorized vehicle as more particularly defined in Section 340.01 (2g), Wis. Stats.
 - b. "ATV/UTV ROUTE" shall mean highway, road, street or right-of-way designated for use by ATVs or UTVs by the Village.
 - c. "ATV/UTV TRAIL" shall mean a marked corridor on public property or on private lands subject to public easement or lease, designated for use by ATV/UTV operators by the governmental agency having jurisdiction, but excluding roadways or highways except those roadways that are seasonally not maintained for motor vehicle traffic.
 - d. "Utility Terrain Vehicle" ("UTV") shall mean a motorized vehicle as more particularly defined by Section 22.33(ng), Wis. Stats.
- (3) State Driver's License Required. No person may operate an ATV or UTV on any Village street unless they hold a current valid Driver's License.
- (4) ATV/UTV Routes. All streets in the Village of Pulaski are open to ATVs/UTVs that have designated signage indicating ATV/UTV route. The aforementioned routes shall include any private roads or driveways nor any private property in the Village. The Village shall retain the right to close any Village street to ATV/UTV operation for special events, or due to street construction or repair, without advance notice.
- (5) ATV/UTV Regulations. ATVs/UTVs that operate on the designated streets in the Village shall abide by all state laws regulating ATV/UTV operation, including the following:
- a. Operate in the extreme right-hand portion of the traveled part of the road and travel in single file.

- b. Speed limit shall not exceed posted Village speed limits except where a higher speed is posted by an official ATV/UTV speed limit sign.
- c. ATVs/UTVs operated on Village streets shall be currently registered by the State of Wisconsin in accordance with Wisconsin State Statutes. Registration does not constitute a license to cross or operate an ATV/UTV on public or private roads.
- d. At all times while operating an ATV/UTV on Village streets, operators born after January 1, 1988, shall have passed an approved safety course. The driver of an ATV/UTV shall obey all state of Wisconsin laws regarding the operation of ATVs/UTV.
- e. Except as otherwise provided in this Section, a person may only operate or permit an ATV/UTV owned by him/her or under their control to be operated in accordance with Wisconsin State Statutes and all regulations adopted pursuant thereto.
- f. When operating an ATV/UTV under this Section, if the ATV/UTV has no turn signals and/or brake lights, the operator shall use hand signals when making turns or stopping.
- g. No public or private landowner shall be liable for any property damage or personal injury sustained by any person operating or riding as a passenger on an ATV/UTV or upon a vehicle or other device drawn by an ATV/UTV upon the public or private landowner's property, whether or not the public or private landowner has given permission to use the land unless the public or private landowner charges a cash fee to the operator or owner of the ATV/UTV for the use of the property or unless damage or injury is intentionally inflicted by the landowner.
- h. ATV/UTV operators must remain on an approved Village route. Upon failure to do so, Wisconsin DNR and other penalties will apply.
- i. It shall be unlawful for any person to consume or have in their possession any open container containing an alcoholic beverage upon any public street, public way, public alley, or public parking lot within the Village.
- j. No person may engage in the operation of an all-terrain vehicle or utility terrain vehicle on the streets of the Village or

upon all premises held out to the public for use of their all-terrain vehicles or utility terrain vehicles, whether such premises are publicly or privately owned and whether or not a fee is charged for the use thereof while under the influence of an intoxicant to a degree which renders him or her incapable of safe operation of an all-terrain vehicle or utility terrain vehicle; while the person has an alcohol concentration of 0.08 or more or while the person has a detectable amount of a restricted controlled substance in his or her blood.

- (6) Additional ATV/UTV Operation Prohibitions. The operation of ATVs and UTVs in the Village are subject to the following limitations:
 - a. School Hours. ATVs and UTVs shall not be operated on South St. Augustine between 6:30 and 8:00 am and 2:00 and 3:30 pm on days when school is in session.
 - b. Highways. ATVs and UTVs may not be operated on E. Pulaski Street, S. Wisconsin Street and North St. Augustine Street (State HWY 32) or on W. Pulaski Street (HWY 160).
- (7) Traffic and Parking Regulation Compliance. The operators of ATVs/UTVs on Village streets shall be subject to all applicable traffic and parking regulations.
- (8) Insurance Requirements. No person may operate an ATV or UTV or allow another person to operate their ATV or UTV on any Village street unless the owner of the ATV or UTV has an insurance policy in place that covers the operation of the ATV or UTV.
- (9) Equipment Requirements. ATVs/UTVs operated on Village streets pursuant to this Section shall have the following properly working equipment:
 - a. Headlights. One (1) or more properly functioning headlights that shall display a white or clear light and be visible from a distance of 500 feet.
 - b. Taillights. Properly functioning taillights that shall be red in color and be visible from a distance of 500 feet.
 - c. Brakes. Brakes in good mechanical condition.
 - d. Muffler System. A fully functioning muffler system and such other related equipment or devices that preclude the operation of an ATV/UTV in such manner that noise emitted from the machine is louder than 80 decibels on the A scale dB(a) at 50 feet, measured in the manner prescribed in the reaffirmed 1998-07, Society of Automotive Engineers Standard

J1287, entitled Measurement of Exhaust Sound Levels of Stationary Motorcycles.".

- (10) Registration and Inspection. Before operating on any street within the Village the ATV or UTV shall first be inspected by and registered with the Pulaski Police Department and obtain from the Department an annual ATV/UTV Registration Permit under the following provisions:
- a. Inspection Requirements:
 1. The ATV/UTV can only be registered by the owner thereof who shall provide proof of ownership and proof of insurance at the time of inspection.
 2. The Registrant must provide proof of a valid Wisconsin Driver's License.
 3. The ATV/UTV must meet all equipment requirements identified in this subsection together with such safety and equipment inspection requirements as the Department shall establish and provided from time to time.
 - b. ATV/UTV Registration Fee. The fee for the annual ATV/UTV registration permit from the Village shall be \$35.00.
 - c. ATV/UTV Registration Permit. The annual Village of Pulaski ATV/UTV Registration Permit sticker shall be displayed on the left (driver side) rear of the ATV/UTV.
- (11) Penalties. Any person found to have violated this subsection shall be subject to the penalties set forth in Sec. 23.33(13)(a), Wis. Stats., together with all applicable court costs and fees. **(Ord # 571-19)**

38.12 ENFORCEMENT

- (a) **MOVING VIOLATIONS**. This Chapter, except non-moving violations, shall be enforced in accordance with the provisions of §345.20 to §345.33, Chapter 300 and §66.12 of the Wisconsin Statutes.
- (b) **STIPULATION OF NO CONTEST**. The Chief of Police or officer designated by him, upon request of any person charged with a violation of any provision of this Chapter, after the issuance of a citation upon an official Wisconsin Uniform Municipal Citation and Complaint form prescribed by §345.11, Wis. Stats., may accept a signed stipulation of "no contest" as found on the reverse side of said uniform form. Said stipulation shall be accompanied by the amount of penalty prescribed by the schedule of

penalties established by the County Court for violations of the state traffic laws, as have been adopted by reference in Sec. 38.01 of the Municipal Code of the Village of Pulaski.

- (c) **FORFEITURES TO MUNICIPAL COURT.** The officer accepting forfeited penalties shall deliver them to the Municipal Court at least once in each seven (7) days unless such delivery would be in violation of §345.15, Wis. Stats.
- (d) **BAIL BONDS.** Nothing in this section shall be construed to limit the right of proper authorities to accept bail bonds, deposits, certificates, or money deposits, or permit a persons release from custody on his own bond, as provided in §§66.114, 345.13, 345.135, or 345.15, Wis. Stats.
- (e) **STATEMENT OF NOTICE.** Any official, enforcement officer, or Village Attorney accepting a stipulation of no contest or a bail under the provisions of this section or prosecuting a violation of this Chapter shall comply with the provisions of §343.27 and §343.29, Wis. Stats., and shall inform the accused of the effect of a stipulation of no contest, forfeiture of bail, or of a conviction of the violation charged. Such official or officer shall require the accused to sign the statement of notice which is found on the reverse side of Official Wisconsin Uniform Municipal Citation and Complaint form, prescribed by §345.11, Wis. Stats.
- (f) **NON-MOVING TRAFFIC OFFENSES.**
 - (1) Direct Payment of Penalty Permitted. Persons cited for violation of non-moving traffic offenses described and defined in this Chapter may discharge the penalty thereof and avoid court prosecution by forwarding, according to Sec. 38.14(c), to the Pulaski Police Department the fee requirement for violation. When payment is made as provided in this paragraph, no court costs shall be charged.
 - (2) Court Prosecution. If the alleged violator does not deliver or mail a deposit as provided in sub(1) above, within six (6) days, the Chief of Police shall take such further steps in the prosecution of the cited violation as may be provided for by law.
 - (3) Deposits. Officers receiving deposits for non-moving traffic violations under this subsection shall pay over such deposits to the Municipal Court Clerk on or before the next scheduled Court date. Such payment shall be accompanied by an itemized statement for each deposit of the offense charged and the name of the depositor.

38.13 FAILURE TO OBEY TRAFFIC REGULATIONS.

No person shall violate any traffic control regulation made or provided under this Chapter. For purposes hereof, "traffic control regulation" shall mean speed regulations, traffic control signals, as defined under s. 340.01(69), Stats., and all other traffic regulations, as defined under s. 345.20(1)(b), Stats." (Ord. #423)

38.14 PROOF OF VEHICLE INSURANCE COVERAGE.

- (a) **MOTOR VEHICLE LIABILITY INSURANCE.** No person may operate a motor vehicle upon any street, road, highway or other public right-of-way within the Village unless the owner or operator has in effect a motor vehicle liability insurance policy with respect to the vehicle being operated.
- (b) **PROOF OF INSURANCE.** Except as provided in Sec. 344.63, Stats., no person may operate a motor vehicle upon any street, road, highway or other public right-of-way within the Village unless the person, while operating the vehicle, has in his or her immediate possession proof of motor vehicle liability insurance coverage.
- (c) **VIOLATION.** No person may be convicted of violating this Section if they produce proof that they were in compliance with this Section at the time the person was issued a traffic citation for the violation of this Section. Such proof may be provided and produced either at the time of the person's initial appearance in Municipal Court in response to the citation or in the office of the traffic officer who issued the citation. Such person shall remain subject to court costs in Municipal Court.
- (d) **PENALTIES.** Any person violating this Section shall be subject to a forfeiture of \$10.00 plus all applicable court costs. (**Ord. #493-10**)

38.15 PENALTIES

- (a) **FORFEITURE PENALTY.** The penalty for violation of any provision of this Chapter of the Pulaski Code of Ordinances shall be a forfeiture as hereinafter provided together with the costs of prosecution and the penalty assessment imposed by §165.87, Wis. Stats., where applicable. Payment of the judgment may be suspended by the sentencing judge for not more than sixty (60) days. Any person who shall fail to pay the amount of the forfeiture, costs of prosecution and penalty imposed for violation of any provision of this Chapter of the Pulaski Code of Ordinances may, where otherwise permitted by law, upon order of the court entering judgment therefore and having jurisdiction of the case, be imprisoned until such forfeiture, costs and assessments are paid, but not exceeding ninety (90) days.
- (b) **FORFEITURES FOR UNIFORM TRAFFIC OFFENSES.** Forfeitures for violations of any traffic regulations set forth in the Wisconsin Statutes adopted by reference in Sec. 38.01 shall conform to the forfeiture penalty permitted to be imposed for violations of the comparable State statute, including any variations or increases for subsequent offenses; provided, however, that this subsection shall not permit prosecution under this Chapter of any offense

for which an imprisonment penalty or fine may be imposed upon the defendant.

- (c) **SPECIAL LOCAL REGULATIONS.** The forfeiture for violation of Sections 38.03 through 38.06 shall be not less than \$5.00 nor more than \$200.00 for the first offense and not less than \$10.00 nor more than \$500.00 for the second offense within two (2) years.
- (d) **OTHER SANCTIONS.** 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 or to order the defendant to submit to assessment and rehabilitation or attend traffic safety school in addition to payment of a monetary penalty or in lieu of imprisonment.
- (e) **FORFEITURES IN TREASURY; OFFICER TO POST BOND, QUALIFY.** Any officer accepting deposits or forfeited penalties under this Chapter shall deliver them to the Municipal Court Clerk within seven (7) days after receipt. Any officer authorized to accept deposits under §345.26, Wis. Stats., or this Chapter shall qualify by taking the oath prescribed by §19.01, Wis. Stats., and filing an official bond in the sum of \$500.00 as described by §19.01, Wis. Stats.