

VILLAGE OF HEWITT

THE VILLAGE BOARD OF THE VILLAGE
OF HEWITT DO ORDAIN AS FOLLOWS:

ORDINANCE 17.01

REGULATING VEHICULAR TRAFFIC IN
THE VILLAGE OF HEWITT

AN ORDINANCE

An ordinance to regulate vehicular traffic in the Village of Hewitt, Wisconsin.

The Village Board of the Village of Hewitt, Wisconsin, do ordain as follows:

SECTION 1. Provisions of State Law Adopted by Reference.

(1) State Traffic Forfeiture Laws Adopted. Except as otherwise specifically provided in this ordinance, all provisions of Chapters 340 to 348 of the Wisconsin Statutes describing and defining regulations with respect to 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 herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this ordinance.

Sections of Chapters 340 to 348 adopted by reference shall include but not be limited to the following:

- 340.01 (words and phrases defined)
- 341.11 (4) (Display of registration plates)
- 341.15 (Display of registration plates)
- 341.16 (4) (Issuance of duplicate plates)
- 341.42 (4) (Reciprocity permits)
- 341.55 (Penalty for misuse of plates)
- 341.57 (3) (Registration of finance companies and banks)
- 341.63 (When registration is to be suspended)
- 342.05 (4) (Certificate of title required)
- 342.15 (5), (6) and (7) (Transfer of interest in vehicle)
- 342.23 (Secured party's and owner's duties)
- 342.30, 342.31, 342.34 (ANTI-THEFT AND ANTI-FRAUD PROVISIONS)
- 343.01 (Words and phrases defined)
- 343.305 (Implied consent)
- 343.35 (Surrender of licenses upon cancellation, revocation or suspension)
- 343.45 to 343.46 (UNLAWFUL PRACTICES RELATIVE TO LICENSES)
- 343.60 to 343.72 (LICENSING OF DRIVER SCHOOLS AND INSTRUCTORS)
- 343.73 (Penalty)
- 344.01 (Words and phrases defined)
- 344.45 to 344.47 (PENALTIES FOR VIOLATION OF CHAPTER)
- 344.51 (Financial responsibility for domestic rented vehicles)
- 345.01 (Words and phrases defined)
- 345.20 to 345.53 (GENERAL PROVISIONS IN TRAFFIC FORFEITURE ACTIONS)
- 345.55 (Traffic officers not to profit from arrests)
- 346.01 (Words and phrases defined)
- 346.02 (Applicability of Chapter)
- 346.03 (Applicability of rules of the road to authorized emergency vehicles)
- 346.04 (1) and (2), 346.05 to 346.16 (DRIVING, MEETING, OVERTAKING AND PASSING)
- 346.17 (Penalty for violating ss. 346.04 to 346.16)
- 346.18 to 346.21 (RIGHT OF WAY)

- 346.22 (Penalty for violating ss. 346.18 to 346.21)
- 346.23 to 346.29 (DRIVERS AND PEDESTRIANS)
- 346.30 (Penalty for violating ss. 346.23 to 346.29)
- 346.31 to 346.35 (TURNING AND STOPPING AND REQUIRED SIGNALS)
- 346.36 (Penalty for violating ss. 346.31 to 346.35)
- 346.37 to 346.42 (TRAFFIC SIGNS, SIGNALS AND MARKINGS)
- 346.43 (Penalty for violating ss. 346.37 to 346.42)
- 346.44 to 346.48 (REQUIRED STOPS)
- 346.49 (Penalty for violating ss. 346.44 to 346.48)
- 346.50 to 346.55 (RESTRICTIONS ON STOPPING AND PARKING)
- 346.56 (Penalty for violating ss. 346.50 to 346.55)
- 346.57 to 346.595 (SPEED RESTRICTIONS)
- 346.60 (Penalty for violating ss. 346.57 to 346.595)
- 346.61 (Applicability of sections relating to reckless and drunken driving)
- 346.62 (1) and (3) (Reckless Driving) - first offense in 4 years
- 346.63 (1), (3) and (4) (Operating under "influence" of intoxicant) - first offense in 5 years.
- 346.64 (Employment of drunk operators) - First offense in a year
- 346.65 (1) and (2) (Penalty for violating ss. 346.62 to 346.64)
- 346.66 (Applicability of sections relating to accident and accident reporting)
- 346.68 and 346.69 (Duty upon striking unattended vehicle - upon striking property on or adjacent to highway) - first offense within a year
- 346.70 (1), (2) and (3), 346.71, 346.72, 346.73 (Duty to report accident, etc.)
- 346.70 (4) (Police and traffic agencies to report)
- 346.70 (5) (Falsifying reports) - first offense within a year
- 346.77 to 346.81 (BICYCLES AND PLAY VEHICLES)
- 346.82 (Penalty for violating ss. 346.77 to 346.81)
- 346.87 to 346.94 (MISCELLANEOUS RULES)
- 346.95 (Penalty for violating ss. 346.87 to 346.94)
- 347.01 to 347.05 (GENERAL PROVISIONS - EQUIPMENT OF VEHICLES)
- 347.06 to 347.29 (LIGHTING EQUIPMENT)
- 347.30 (Penalty for violating lighting equipment requirements)
- 347.35 to 347.49 (OTHER EQUIPMENT)
- 347.50 (Penalty for violating ss. 347.35 to 347.49)
- 348.01 to 348.02 (SIZE, WEIGHT, LOAD - General Provisions)
- 348.05 to 348.10 (SIZE AND LOAD)
- 348.11 (Penalty for violating size and load limitations)
- 348.15 to 348.20 (WEIGHT)
- 348.21 (Penalty for violating weight limitations)
- 348.25 to 348.27 (PERMITS)
- 348.28 (Permits to be carried - PENALTY)

(2) Other Laws Adopted. There are also hereby adopted by reference the following sections of the Wisconsin Statutes but the prosecution of such offenses under this ordinance shall be as provided in Chapters 340 to 348 of the Wisconsin

Statutes and the penalty for violation thereof shall be limited to a forfeiture as provided in section 5 of this ordinance.

941.01 (1) (Negligent operation of vehicle off highway)
947.045 (Drinking in motor vehicles on highway)

SECTION 2. Parking, Stopping and Standing Regulated.

(1) Parking Limits. When signs are erected within the areas hereinafter described giving notice thereof, no person shall park a vehicle at any time specified hereinafter upon the following streets or portions of streets:

(a) On the West side of Main Street, from the Soo Line Railroad tracks North to the North village limits.

(b) On the North side of Yellowstone Drive from Main Street West a distance of 600 feet.

(2) All-Night Parking Regulated. When signs have been erected at or reasonably near the corporate limits of the village as provided in s. 349.13(1) Wis. Stats., no person shall park any vehicle (for a period of time longer than thirty (30) minutes) between the hours of 12:00 Midnight and 6:00 A.M. of any day from October 1 to May 1 except physicians on emergency calls on any of the streets in the Village of Hewitt (this sub-section has been adopted by more than a 2/3 vote of the Village Board).

SECTION 3. 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 s. 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 ss. 346.70 (4) (f) and 346.73, Wis. Stats.

SECTION 4. Official Traffic Signs and Signals.

(1) Village Clerk Authorized to Procure and Erect Signs and Signals. The Village Clerk is hereby authorized and directed to procure, erect and maintain appropriate standard traffic signs, signals and markings conforming to the rules of the State Highway Division giving such notice of the provisions of this ordinance as required by state law. Signs shall be erected in such locations and manner as the Village Constable shall determine will best effect the purposes of this ordinance and give adequate warning to users of the street or highway.

(2) Removal of Unofficial Signs and Signals. The Village Constable shall have the authority granted by s. 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 ordinance or s. 346.41, 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.

SECTION 5. Penalty. The penalty for violation of any provision of this ordinance

shall be a forfeiture as hereinafter provided together with the cost of prosecution imposed as provided in ss. 345.20 to 345.53, Wis. Stats.

(1) Uniform Offenses. Forfeitures for violation of any provision of chs. 341 to 348 adopted by reference in Section 1 of this ordinance shall conform to forfeitures for violation of the comparable state offense, including any variations or increases for second offenses.

(2) Special Local Regulations. The forfeiture for violation of Section 3 of this ordinance 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 years.

(3) Miscellaneous. The forfeiture for violation of any provisions of Section 1 (2) of this ordinance shall be no less than \$50.00 nor more than \$500.00.

(4) Parking. The forfeiture for violation of parking regulations in Section 2 of this ordinance shall be not less than \$1.00 nor more than \$10.00 for each offense.

SECTION 6. Enforcement. This ordinance shall be enforced in accordance with the provisions of ss. 345.20 to 345.53, ch. 299 and s. 66.12, of the Wisconsin Statutes.

(1) Stipulation of Guilt or No Contest. Stipulations of guilt or no contest may be made by persons arrested for violations of this ordinance in accordance with s. 66.12 (1) (b), Wis. Stats., whenever the provisions of s. 345.27 are inapplicable to such violations. Stipulations shall conform to the form contained on the uniform traffic citation and complaint under s. 345.11, Wis. Stats., and may be accepted within 5 days of the date of the alleged violation. Stipulations may be accepted by the village police department.

(2) Deposits. Any person stipulating guilt or no contest under subsection (1) of this section must make the deposit required under s. 345.26, Wis. Stats., or, if the deposit is not established under such statute, shall deposit a forfeited penalty as provided in the schedule established by the Village Constable and approved by the Village Board. Deposits may be brought or mailed to the office of the Village Constable as directed by the arresting officer. Deposits for parking or nonmoving violations shall be mailed or brought to the Village Clerk.

(3) Notice of Demerit Points and Receipt. Every officer accepting a forfeited penalty or money deposit under this ordinance shall receipt therefor in triplicate as provided in s. 345.26 (3) (b), Wis. Stats. Every officer accepting a stipulation under the provisions of this ordinance shall comply with the provisions of ss. 343.27, 343.28, 345.26 (1) (a) and 345.27 (2), Wis. Stats., and shall require the alleged violator to sign a statement of notice in substantially the form contained on the uniform traffic citation and complaint promulgated under s. 345.11, Wis. Stats.

(4) Forfeitures in Treasury; Officer to Post Bond, Qualify. Any officer accepting deposits or forfeited penalties under this ordinance shall deliver them to the Village Treasurer within 20 days after receipt. Any officer authorized to accept deposits under s. 345.26, Wis. Stats., or this ordinance shall qualify by taking the oath prescribed by s. 19.01, Wis. Stats., and filing an official bond in the sum of \$ 1250⁰⁰ as described by s. 19.01.

SECTION 7. References to Statutes. References to specific statutory sections wherever used in this ordinance shall mean the Wisconsin Statutes of 1971.

SECTION 8. Repeal of Conflicting Ordinances. All ordinances regulating traffic upon the streets, alleys and highways of the Village of Hewitt, Wisconsin, and all ordinances or parts of ordinances heretofore enacted by the Village Board of the Village of Hewitt, Wisconsin, are hereby repealed.

SECTION 9. Severability. The provisions of this ordinance shall be deemed severable and it is expressly declared that the Village Board would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid and if any provision of this ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

SECTION 10. Effective Date. This ordinance shall take effect and be in force upon passage and publication as provided by law.

NOTE: The following provisions of the Wisconsin Statutes adopted herein by reference apply to snow-mobiles:

346.04 (1) and (2), 346.06, 346.11, 346.14 (1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50 (1) (b), 346.51, 346.52, 346.53, 346.54, 346.55 (parking on private property), 346.87, 346.88, 346.89, 346.90, 346.91, 346.92 (1), and 346.94 (1), (6) (6m) and (9).

ADOPTED: 2-3-75

By: William Wilsmann

APPROVED: 2-3-75

Village President

PUBLISHED: 2-6-75

Attest: Ivan Block

Village Clerk

AMENDMENT 1 TO ORDINANCE 17.01

An Ordinance creating Section 17.11 of Ordinance 17.00 of the Village of Hewitt pertaining to excessive motor vehicle noise.

The Village Board of the Village of Hewitt do ordain as follows:

SECTION 11. Section 17.11 of the Village Code of the Village of Hewitt is hereby created to read as follows:

"Section 17.11. EXCESSIVE MOTOR VEHICLE NOISE.

(1) It shall be unlawful for any person to make unnecessary or annoying noise with a motor vehicle by squealing tires, excessive acceleration of engine or by emitting unnecessary and loud muffler noises.

(2) Penalty. Any person found guilty of violating the provisions of this section shall forfeit not less than \$10.00 nor more than \$25.00, besides the costs of prosecution, for each such offense, and in case of failure to pay such forfeiture and costs of prosecution, shall be imprisoned in the County Jail for not less than three (3) days nor more than ten (10) days for each such offense.

SECTION 2. This Ordinance shall take effect and be in force from and after the date of its passage and publication as provided by law.

NOTE: This Ordinance is recommended by the Village President.

ADOPTED July 9, 1979
APPROVED July 9, 1979
PUBLISHED May 11, 1979

William Wilsmann President
William Wilsmann, President

Attest: Ivan Block - Clerk
Ivan Block, Village Clerk

WISCONSIN STATUTE 947.01

DISORDERLY CONDUCT. Whoever does any of the following may be fined not more than \$200 or imprisoned not more than 90 days or both.

(1) In a public or private place, engages in violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance; or

(2) With intent to annoy another, makes a telephone call, whether or not conversation ensues.

WISCONSIN STATUTE 947.01 shall hereby be amended to Village of Hewitt Ordinance 17.01. An ordinance regulating vehicular traffic in the Village of Hewitt.

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PRESENTED FOR ADOPTION BY THE VILLAGE OF HEWITT BOARD ON THE 3RD DAY OF OCTOBER 1977

APPROVED ON THE 3RD DAY OF OCTOBER 1977

PUBLISHED ON THE 6TH DAY OF OCTOBER 1977

William A. Wilmann

Village President

Loan Block

Village Clerk