

**CITY OF PLATTEVILLE, WISCONSIN
CHAPTER 38, TRAFFIC
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38.01 STATE TRAFFIC LAWS ADOPTED. Except as otherwise specifically provided in this chapter, the provisions of Chapters 340 to 348, inclusive, of the Wisconsin Statutes describing and defining regulations with respect to vehicles and traffic, exclusive of any provisions therein relating to penalties and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment are hereby adopted by reference. To ensure uniformity between City of Platteville ordinances and State of Wisconsin traffic regulations, any future amendments, revisions or modifications of the statutes incorporated herein are hereby made a part of this chapter.

38.02 OFFICIAL TRAFFIC MAP AND CONTROL DEVICES, PROHIBITED SIGNS, SIGNALS AND MARKERS. (1) **Duty of the Chief of Police to Erect and Install Uniform Traffic Control Devices.** Whenever traffic regulations created by this chapter include a statutory traffic regulation adopted by reference in Section 38.01 which requires the erection of traffic control devices for enforcement, the Chief of Police shall direct the Department of Public Works to procure, erect and maintain uniform traffic control devices conforming to the Uniform Traffic Control Device Manual promulgated by the Wisconsin Department of Transportation. Such traffic control devices shall give notice of such traffic regulations to the users of the streets and highways on which such regulations apply. Whenever State Statutes grant discretion to local authorities in erecting or placing a uniform traffic device, they shall be erected in such locations and in such manner as the Chief of Police shall direct.

(2) **Official Traffic Map.** (a) **Official Traffic Map Established.** There is hereby established an Official Traffic Map for the City of Platteville, upon which shall be indicated no parking areas, restricted parking areas, stop signs, arterial intersections, yield signs, special speed limits, one-way highways, school crossings and all other restrictions or limitations contained in this chapter. Such maps shall show all amendments and modifications made from time to time by the Common Council, which shall be accomplished by the passage of an ordinance.

(b) **Violations Prohibited.** When official traffic control devices giving notice of the restrictions, prohibitions and limitations shown on the Official Traffic Map are erected and maintained in accordance with the provisions of this chapter, a violation of the restrictions, prohibitions or limitations shown on such Official Traffic Map shall be a violation of the provisions of the chapter.

(c) **Map to be Maintained.** A copy of the Official Traffic Map shall be maintained and be available for public inspection in the City Clerk's office and at the Platteville Police Department.

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- (d) Additions to Map. The Common Council may from time to time make additions to or modifications to the Official Traffic Map and the Director of Public Works shall keep such Official Traffic Map current.
- (3) Prohibited Signs and Markers on Public Rights of Way. No person other than the persons authorized by this Chapter shall place within the limits of any street or highway maintained by the City any sign, signal, marker, mark or monument relating to or regulating parking, traffic or vehicular movement unless permission is first obtained from the Chief of Police or the Director of Public Works. Any sign, signal, marker, mark or monument placed or maintained in violation of this subsection shall be subject to removal as provided in subsection (4).
- (4) Removal of Unofficial Signals, Markers, Signs and Traffic Control Devices. The Chief of Police and the Director of Public Works shall have the authority to remove any sign, signal, marker or other device which is placed, maintained or displayed in violation of this chapter or state law.

38.03 SPEED LIMITS. The speed limits adopted by reference in Section 38.01 are hereby modified for the following streets as follows:

15 MPH on East Mineral Street from North Water Street to North Bonson Street.

15 MPH on Perry Drive.

15 MPH on Stonebridge Road.

15 MPH on Main Street between Chestnut Street and Water Street.

15 MPH on Sylvia Street from 12:01 a.m. on the observed Memorial Day holiday to 11:59 p.m. on the observed Labor Day holiday.

15 MPH on Pitt Street from 12:01 a.m. on the observed Memorial Day holiday to 11:59 p.m. on the observed Labor Day holiday.

15 MPH on Maria Place.

25 MPH on Broadway Street to the City limits.

25 MPH on East Side Road from USH 151 to Evergreen Road.

30 MPH on Business Highway 151 from the north side of the Rountree Branch bridge southwest of Staley Avenue to the east side of the Rountree Branch bridge east of Valley Road.

40 MPH on Eastside Road from Evergreen Road to the City Limits.

40 MPH on Business Highway 151 from the south City Limits to the north side of the Rountree Branch bridge southwest of Staley Avenue.

40 MPH on Business Highway 151 from the east side of the Rountree Branch bridge east of Valley Road to the east side of Insight Drive.

55 MPH on Business Highway 151 from the east side of Insight Drive to the east City Limits. Upon installation and activation of a traffic signal at the intersection of Commercial Drive and Business Highway 151, this section of Business Highway 151 shall have the speed limit reduced to 40 MPH.

38.04 OPERATORS TO OBEY TRAFFIC CONTROL DEVICES. Operators of motor vehicles, bicycles or other vehicles covered by Section 38.01 shall obey all traffic signs, signals and markers erected and maintained under this chapter.

38.05 WEIGHT LIMITATIONS AND TRAVEL RESTRICTIONS. (1) All City streets and alleys are designated Class "A" highways and no person shall drive on any City street or alley any vehicle weighing in excess of the weight limitations set forth in Section 348.15 of the Wisconsin Statutes.

(2) No person shall operate any tractor-trailer combination or any truck with a gross weight over 10,000 pounds on Main Street between Chestnut Street and Water Street except when such vehicle is engaged in pick-ups or deliveries which require the use of Main Street. This section shall not apply to authorized emergency vehicles or to officially sanctioned parades or other events.

38.06 SCHOOL BUS WARNING LIGHTS. Pursuant to Section 349.21, Wisconsin Statutes, operators of school buses within the City of Platteville are hereby authorized to use the flashing red warning lights with which school buses are equipped in any part of the City of Platteville, when, in the opinion of the operators, such lights contribute to the health and safety of pupils or other authorized passengers who are being loaded or unloaded from such school bus.

38.07 STATE STANDARDS FOR MOTOR VEHICLE EQUIPMENT ADOPTED. (1) Administrative Regulations Adopted. The administrative rules and regulations of the Wisconsin Administrative Code relating to Standards for Motor Vehicle Equipment, exclusive of any provisions relating to penalties, are hereby adopted by reference and made part of this code as if fully set forth herein.

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- (2) Non-compliance Prohibited. No person shall maintain, operate or allow to be operated on any highway, street or alley within the City a vehicle that is not in conformity with the requirements of subsection (1).
- (3) Owners' Liability. Any owner of a vehicle not equipped as required by this section who causes or permits such vehicle to be operated on a street in violation of this section is guilty of the violation the same as if he or she had operated the vehicle. The provisions of Section 347.04, Wisconsin Statutes, relating to non-applicability of demerit points, shall apply to owners convicted of violations of this section.
- (4) Safety Checks. (a) Operators to submit to Inspection. When directed to do so by any Platteville Police Officer, the operator of any motor vehicle shall stop and submit to an inspection and such tests as are necessary to determine whether the vehicle meets the requirements of this section, or that the vehicle's equipment is in proper adjustment or repair. No person, when operating a motor vehicle, shall fail to stop and submit such vehicle to inspection when directed to do so by any Platteville Police Officer as herein provided.
 - (b) Authority of Officer. Any law enforcement officer of the City of Platteville is hereby empowered, whenever he or she shall have reason to believe that any provision of the section is being violated, to order the operator of the vehicle to stop and submit to an inspection of the vehicle.
 - (c) Vehicle to be Removed from Highway. Whenever after inspection, a Platteville Police Officer determines that a vehicle is unsafe for operation, he or she may order it removed from the highway and not operated; except for purposes of removal and repair, until the vehicle has been repaired as directed in writing by such officer. Repair orders may be in the form prescribed by the Secretary of the Department of Transportation under Section 110.075(5), Wisconsin Statutes, or in such form as the Common Council shall hereafter direct.

38.08 NOISE. No person shall make unnecessary or annoying noise with a motor vehicle by squealing tires, excessive acceleration of engines or by emitting unnecessary or loud muffler noises.

38.09 TRAFFIC REGULATIONS ON SCHOOL DISTRICT PROPERTY. The following regulations shall apply to the property of the Platteville School District located within the City: (1) Speed limits. No person shall at any time operate a motor vehicle upon any of the Platteville School District grounds at a speed in excess of 15 mph.

- (2) Unlicensed Operators Prohibited. Except for approved driver's education classes, only persons who hold valid motor vehicle operator's licenses may operate a motor vehicle upon the ground or property of the Platteville School District within the City.

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- (3) Traffic Regulations Applicable. All provisions of Chapter 38 of the Ordinances of the City of Platteville shall be applicable on all Platteville School District property located within the City.
- (4) Operating on Paved Portions. No motor vehicle shall be operated off any paved driving or parking area on Platteville School District property in the City without express permission from an appropriate school official.

38.10 OPERATION OF MOTOR VEHICLES IN PUBLIC PARKING LOTS AND RAMPS.

- (1) Unlicensed Operators Prohibited. No person who does not hold a valid motor vehicle operator's license shall operate a vehicle in any public parking lot or ramp or in any private parking lot or ramp held out for the use of the general public.
- (2) Traffic Regulations Applicable. All provisions of Chapter 38 of the Ordinances of the City of Platteville shall be applicable on any public parking lot or ramp and on any private parking lot or ramp held out for use of the general public.

38.11 SNOWMOBILES. No person shall operate a snowmobile upon any street, highway or alley or on private or public property within the City of Platteville without permission of the owner or a person in possession of such property, EXCEPT for that portion of the street, highway, alley or private or public property which is designated as an official snowmobile trail.

Snowmobile trails must be approved by the City of Platteville Common Council and all users of the designated trail must comply with Chapter 350 Wisconsin Statutes.

City owned or leased property upon which snowmobiles may be operated will be so posted. The Platteville Drift Busters Snowmobile Club is charged with the responsibility of providing and erecting signs at the proper places to provide notice to snowmobilers they may operate on the posted property. A map of such properties will be prepared and maintained by the engineering department, copies of which shall be posted in appropriate places about the City and included in the ordinance.

38.12 VEHICLES ON SIDEWALKS. No person shall drive any vehicle on a sidewalk except when crossing a sidewalk on a driveway.

38.13 RESTRICTIONS ON USE OF BICYCLES, SKATEBOARDS, ROLLER SKATES AND IN-LINE SKATES. (1) No person shall ride upon or use any bicycle, skateboard, roller skate or in-line skate on any sidewalk adjacent to any street that is within an area bordered by Pine Street, Water Street, Furnace Street, or Chestnut Street.

- (2) No person shall ride upon or use any skateboard, roller skate or in-line skate on any street within the City limits of the City of Platteville except while crossing a roadway at a crosswalk.

38.14 COMPRESSION BRAKES PROHIBITED. No person shall use motor vehicle brakes within the City limits of the City of Platteville 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 a prosecution under this section that said compression brakes were applied in an emergency and were necessary for the protection of persons and/or property.

38.15 AUTHORITY TO APPOINT SCHOOL CROSSING GUARDS. Pursuant to the provisions of Wisconsin Statutes Section 349.215, the Chief of Police shall have the authority to appoint adult school crossing guards for the protection of persons who are crossing a highway in the vicinity of a school. The school crossing guards shall wear insignia or uniforms which designate them as school crossing guards and shall be equipped with signals or signs to direct traffic to stop at school crossings.

38.16 LOW-SPEED VEHICLES PERMITTED. (1) DEFINITION. A “Low-speed vehicle” (LSV) means a motor vehicle that conforms to the definition and requirements as adopted in the federal motor vehicle safety standards for “low-speed vehicles” under 49 CFR 571.3(b) and 571.500. “Low-speed vehicle” does not include a golf cart.

(2) REQUIREMENTS. LSVs shall be four-wheeled and have a speed range of at least 20 mph and not more than 25 mph on a level paved surface and have a gross vehicle weight at rest of less than 3,000 pounds. LSVs shall have:

- a. Head lamps.
- b. Front and rear turn signals.
- c. Stop lamps.
- d. Reflex reflectors: one red on each side as far to the rear as practicable, and one red on the rear (three total).
- e. An exterior mirror mounted on the driver’s side, and either an exterior mirror on the passenger side or an interior rearview mirror.
- f. A parking brake.
- g. A windshield that conforms to the requirements of the federal motor vehicle safety standard on glazing materials (49 CFR 571.205).
- h. A vehicle identification number (VIN) that complies with federal law (49 CFR 565).

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- i. A Type 1 or Type 2 seatbelt assembly conforming to 49 CFR 571.209 and federal motor vehicle safety standard No. 209 for each designated seating position.
 - j. Meets the general test conditions under 49 CFR 571.50056.
- (3) PERMITTED USERS OF LOW-SPEED VEHICLES. To use a LSV on city streets, the operator must have a valid Wisconsin driver's license.
- (4) OPERATION. Operation of a LSV within the City of Platteville is permitted on roadways and alleys located within the territorial boundaries of the City of Platteville, regardless of whether the City has jurisdiction over the roadway, subject to the following prohibitions:
- a. Operation of a LSV is prohibited on any roadway with a speed limit greater than 35 mph.
 - b. Operation of a LSV is prohibited on any municipal sidewalk or recreational trail.
 - c. Operation of a LSV is prohibited within any municipal park, golf course, or recreational area except on a roadway or parking area routinely open to motor vehicle traffic.
 - d. Headlamps must be on at all times during operation of a LSV on city streets.
- (5) Operational Requirements of Low-Speed Vehicles. LSVs shall comply with all state and local traffic laws, including but not limited to, Section 38.01 of the Municipal Code of Ordinances, and owners and operators of LSVs shall be subject to citations and forfeitures for any violations.
- (6) Registration. LSVs operated within the City of Platteville shall be registered with the Wisconsin Department of Transportation and shall display that registration in accordance with Chapter 341 of the Wisconsin Statutes.
- (7) Enforcement. Any person who violates any provision of this section shall be subject to a forfeiture as provided in Section 38.50 of the Municipal Code.
- (8) Severability. If any portion of this ordinance or its application to any person or circumstances is held invalid, the validity of this section as a whole, or any other provision herein and its application to other persons or circumstances, shall not be affected.

38.17 All-Terrain Vehicles and Utility Terrain Vehicles. (1) **ADOPTION OF STATUTORY PROVISIONS.** The provisions of section 23.33 of the Wisconsin Statutes, and subsequent amendments thereto, are hereby incorporated herein by reference as part of this Chapter, except for those provisions therein which conflict with this Chapter.

(2) **SAVING CLAUSE.** This Chapter shall in no way be deemed to supplant or otherwise invalidate any provision of the state statutes relating to the subject matter hereof. Any person entrusted with the enforcement of this Chapter may, in the exercise of his or her discretion, proceed under applicable state statutes.

(3) **SEVERABILITY.** Should any provision of this Chapter, or its application to any person or circumstance, be held invalid, the remainder of the ordinance and the application of such provisions to other persons circumstances shall not be affected thereby.

(4) **DEFINITIONS.** For purposes of this Chapter, the definitions set forth in section 23.33(1) of the Wisconsin Statutes, are hereby adopted and incorporated herein as reference.

(5) **DESIGNATED ROUTES.** Except as otherwise specifically provided in Section 23.33 of the Wisconsin Statutes, all-terrain vehicles ("ATV") or utility terrain vehicle ("UTV") shall be authorized to operate upon all public rights of way except as hereinafter designated.

(a) ATVs and UTVs are not authorized on the following streets:

1. East Mineral Street from Valley Road to Business Highway 151.
2. Business Highway 151 from Valley Road to the east city limits.
3. Second Street from East Pine Street to East Furnace Street.
4. Biarritz Boulevard
5. Commercial Drive
6. Cornerstone Circle
7. DeValera Drive
8. Eastside Road
9. Enterprise Drive
10. Estates Boulevard
11. Evergreen Road
12. Hillcrest Circle
13. Highpoint Circle
14. Insight Drive
15. Keystone Parkway
16. Knollwood Way
17. Ledge Stone Road

18. Malone Drive
19. Millennium Drive
20. Oakhaven Court
21. Philips Road
22. Pleasant Valley Road
23. Progressive Parkway
24. Stone Crest Road
25. Ubersox Drive
26. Vision Drive

- A. ATVs and UTVs are not allowed to park in or along any roadways, alleyways or public parking lots within the City of Platteville between the hours of 10:00 p.m. and 6:00 a.m.

(6) ROUTE SIGNS. Under the direction of the City, all ATV/UTV routes shall be designated by route signs. The route signs shall be provided by the ATV/UTV Club, or its successor, and shall be installed by the Public Works Department, in accordance with Chapter 23.33(8)(e) of the Wisconsin Administrative Code. The route signs shall be inspected by the City annually and shall be maintained by the ATV/UTV Club, or its successor. The City shall be promptly notified by the ATV/UTV Club of any change in responsibility for maintenance of ATV/UTV route signs.

(7) In addition to the provisions of Wisconsin Statute 23.33, the following restrictions are placed on the use of the City ATV/UTV routes designated by this ordinance:

- A. The operators of ATVs/UTVs on all designated ATV/UTV routes shall observe the posted roadway speed limits.
- B. ATV/UTV operators shall drive in the center of their lane of travel.
- C. All ATV/UTV operators shall ride in single file.
- D. All ATV/UTV headlamps and tail lamps must be turned on at all times and ATV/UTVs must have operational brake lights.
- E. All UTV operators and passengers must wear seat belts at all times.
- F. The City of Platteville routes will be closed from 10:00 p.m. to 6:00 a.m.
- G. The City of Platteville may close ATV/UTV routes at any time through removal of all route signage and by providing notice to the public.
- H. ATVs/UTVs are prohibited from operating on any recreation trails in the City.

I. No person may operate an ATV/UTV that is constructed in such a manner that noise emitted from the vehicle exceeds 96 decibels.

J. No open intoxicants are allowed while operating on, or as a passenger in, any ATV/UTV in the City.

K. All Wisconsin Statutes related to the operation of an ATV/UTV while under the influence of alcohol or a restricted controlled substance will be strictly enforced, including Absolute Sobriety by ATV/UTV operators under the age of 21.

L. ATV/UTV operators shall possess a valid operator's license as defined in section 340.01(41g) of the Wisconsin Statutes, as may be amended from time to time.

M. No person may operate an ATV/UTV within the City of Platteville unless the owner or operator of the vehicle has in effect, a liability policy covering the vehicle being operated and such operator has in his or her immediate possession a certificate or proof of insurance covering such vehicle which shall be displayed upon demand from any traffic officer.

N. No ATV/UTV shall be allowed to tow a trailer, wagon or any other wheeled unit in the City.

O. Groups of 8 or more ATV/UTVs traveling together as part of an organized ride must obtain a permit from the Police Department a minimum of ten (10) days in advance.

P. The designated ATV/UTV routes in the City will be open year-round.

(8) CLOSURES, SUSPENSION, OR TERMINATION OF ROUTE. The Common Council President shall have the authority to:

- (1) Temporarily close any ATV/UTV route designated herein for a period of sixty (60) days or less due to an emergency, complaint, or other necessary condition as determined by the Common Council.
- (2) Request the Common Council to review any ATV/UTV route designated herein for the purpose of suspending or terminating the route.

(9) ENFORCEMENT AND PENALTIES. Violations of this Chapter shall incur a forfeiture as follows:

A. Violations of section 38.17(1) – As set forth in section 23.33(13) of the Wisconsin Statutes, as may be amended from time to time.

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B. Violations of section 38.17(5)B -- \$20.00

C. All other violations of this Chapter – As set forth in section 1.07 of this Code.

38.50 PENALTIES AND ENFORCEMENT. (1) Penalties. The penalty for violation of any provision of Chapter 38 shall be a forfeiture as hereinafter provided, together with the costs of prosecution. Any person who shall fail to pay the amount of the forfeiture and the costs of prosecution may be imprisoned in the Grant County Jail until such forfeiture and costs are paid, not exceeding 90 days.

- (2) Other Sanctions. Nothing herein shall prohibit the imposition of other sanctions provided by law.
- (3) Forfeitures for Uniform Traffic Offenses. Except as provided herein, forfeitures for violations of any traffic regulations set forth in the Wisconsin Statutes and adopted by reference in Section 38.01 shall be levied and imposed in the same amount and in like manner as fines and forfeitures are imposed for violations of the comparable state statutes, including any variations or increases for subsequent offenses; provided, however, that where the Wisconsin Statutes provide a mandatory jail term or mandatory revocation or suspension of an operator's license, the forfeiture shall be the maximum money penalty which the Wisconsin Statutes provides for an identical offense. The penalty for a violation of Wisconsin Statutes Section 346.24(1), failure to yield to pedestrian/uncontrolled intersection, shall be a forfeiture of \$10.00 plus costs.
- (4) Other Violations. Any person who shall violate any provision of this code for which a penalty is not established in subsection (1) or (2) shall be subject to a forfeiture of not less than \$30 nor more than \$500.
- (5) Enforcement. The provisions of Chapter 38 shall be enforced as follows:
 - (a) Court Proceedings. Except as otherwise specifically provided by the laws of the State of Wisconsin or the provisions of this code, the traffic regulations in this code shall be enforced in the Circuit Court of Grant County in accordance with the provisions of Sections 66.12, 345.20(2)(a) and Chapter 299, Wisconsin Statutes.
 - (b) Uniform Citation and Complaint. The Wisconsin Uniform Traffic Citation and Complaint described and defined in the Wisconsin Statutes shall be used for enforcement of all provisions of this code.
 - (c) Uniform Municipal Citation. The Common Council shall establish a Uniform Citation for use in enforcing parking violations and other violations in this code not covered by Section 38.50.

- (d) Stipulation of Guilt or No Contest. Stipulation of guilt or no contest may be made by persons charged with violations of Chapter 38 of this code in accordance with Sections 66.12(1)(b), Wisconsin Statutes, whenever the provision of Section 345.27, Wisconsin Statutes, are inapplicable. Stipulations shall be in the form contained on the Uniform Traffic Citation and complaint under Section 345.11, Wisconsin Statutes, and the form contained on the Uniform Municipal Citation as set forth in Section 1.10 of this code. Stipulation may be accepted by the Platteville Police Department.
- (e) Deposits. Any person stipulating guilt or no contest under subsection (e) of this section must make the deposit required under Section 345.26, Wisconsin Statutes, or if the deposit is not established under such statute, shall deposit an amount provided in the schedule established by the Chief of Police and approved by the Common Council.
- (f) Notice of Demerit Points and Receipt. Every officer accepting a forfeiture or money deposit under this chapter shall receipt therefor in triplicate as provided in Section 345.26(3)(b), Wisconsin Statutes. Every officer accepting a stipulation of no contest under the provisions of this chapter shall comply with the provisions of Sections 343.27, 342.28, 343.26(1)(a) and 345.27(2), Wisconsin Statutes, and shall require the violator to sign a statement of notice in substantially the form contained on the Uniform Traffic Citation and Complaint promulgated under Section 345.11, Wisconsin Statutes, or in the case of Uniform Municipal Citations as provided in Section 1.10 of this code.
- (g) Forfeitures in Treasury. All deposits and forfeitures under this chapter shall be delivered to the Clerk of the Courts within 7 days after receipt. Any officer or employee authorized to accept deposits under Section 345.26, Wisconsin Statutes, or under this chapter shall qualify by taking the oath prescribed by Section 19.01, Wisconsin Statutes.
- (h) References to Statutes. Whenever this code incorporates by reference specific sections of the Wisconsin Statutes, such references shall mean the current Wisconsin Statutes and as from time to time amended, repealed or modified by the Wisconsin Legislature. General references in this code to Wisconsin Statutes, sections or chapters describing or defining procedures or authority for enactment or enforcement of local traffic regulations shall be deemed to refer to the most recent enactments of the Wisconsin Legislature describing or defining such procedures or authority.