

Chapter 9

TRAFFIC CODE

[HISTORY: Adopted by the Town Board of the Town of Linn 11-13-1995 (Ch. 9 of the 1995 Code). Amendments noted where applicable.]

§ 9-1. State traffic laws adopted.

Except as otherwise specifically provided in this chapter, all provisions of Chs. 340 to 348 and § 941.01(1), Wis. Stats., including any future revisions or amendments thereto, 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 part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this chapter.

§ 9-2. Official traffic control devices; prohibited signs, signals and markers.

- A. Duty of Town Board to erect and install uniform traffic control devices. Whenever traffic regulations created by this code, including a State of Wisconsin traffic regulation adopted by reference in § 9-1 of this code, require the erection of traffic control devices for enforcement, the Town Board shall procure, erect and maintain uniform traffic control devices conforming to the Uniform Traffic Control Device Manual promulgated by the Wisconsin Department of Transportation, giving notice of such traffic regulations to the users of the streets and highways on which such regulations apply. Whenever state law grants discretion to local authorities in erecting or placement of a uniform traffic control device, devices shall be erected in such locations and in such manner as in the judgment of the Town Board will carry out the purposes of this code and give adequate warning to users of the streets and highways of the Town.
- B. Prohibited signs and markers in highways. No person, other than an officer authorized by this code to erect and maintain official traffic control devices or his designee, shall place within the limits of any street or highway maintained by the Town any sign, signal, marker, mark or monument unless permission is first obtained from the Town Board. Any sign, signal, marker, mark or monument placed or maintained in violation of this subsection shall be subject to removal as provided in Subsection C of this section.
- C. Removal of unofficial signs, markers, signals and traffic control devices. The Town Board may remove any sign, signal, marking or other device which is placed, maintained or displayed in violation of this code or state law. Any charge imposed against the premises for removal of a prohibited or illegal sign, signal, marking or device shall be reported by the Police Department to the Town Board for review

and certification at its next regular meeting following the imposition of the charge. Any charge not paid on or before the next succeeding November 15 shall be placed upon the tax roll for collection as other special municipal taxes.

§ 9-3. Through highways and controlled intersections.

- A. Through highways designated. In the interest of public safety and pursuant to authority granted by Wisconsin law, the following highways or portions thereof are declared to be through highways:

All state trunk highways and county highways
Armsby Road
Bissell Road
Brink Road
Chapin Road
CTH B
CTH BB
Mohawk Road
Oriole Road
Snake Road
South Shore Drive
Swamp Angel Road
West Side Road

- B. Designation of location of stop signs.

- (1) In the interest of public safety, stop signs shall be installed at the following locations to control traffic on the highways over which the Town has exclusive jurisdiction: [Amended 7-10-2000¹]

Traffic on	Stops at
Academy Road	CTH BB (Linton Road)
Academy Road	South Shore Drive
Alta Vista Drive	Snake Road
Armsby Road	CTH B
Armsby Road	Railroad tracks
Armsby Road	State Line Road
Basswood Drive	South Shore Drive
Birches Drive	Linn Road
Bissell Road	Mohawk Road

1. Editor's Note: Amended at time of adoption of Code (see Code Adoption Ordinance).

Bissell Road	State Line Road
Black Point Road	Maple Ridge Road
Border Drive	Academy Road
Brink Road	CTH B
Brink Road	CTH BB (Linton Road)
Cisco Road	STH 50
Cobblestone Road	CTH B
CTH B	CTH BB (Linton Road)
CTH B	STH B
East Road	Chapin Road
East Road	Main Road
Elgin Club Drive	STH 50
Elm Street	CTH BB (Linton Road)
Fair Oaks Road	South Shore Drive
Forest Rest Lane	Snake Road
Geneva Street	STH 50
Glenmore Avenue	Linn Road
Greenleaf Drive	Indian Drive
Greenview Drive	Oriole Road
Hardwood Drive	Basswood Drive
Hardwood Drive	South Shore Drive
Hillside Road	CTH B
Hillside Road	Linton Road
Hillside Road	Willow Road
Hilltop Drive	South Lakeshore Drive
Indian Drive	Knollwood Drive
Indian Road	Cisco Road
Knollwood Drive	STH 50
Lakeview Drive	Linn Road
Lakeview Park Drive	Linn Road
Lakeville Road	Swamp Angel Road

Laurel Street	Geneva Street
Laurel Street	Knollwood Drive
Linn Road	South Shore Drive
Linn-Walworth Road	Lakeville Road
Linn-Walworth Road	Railroad tracks
Linnwood Avenue	Linn Road
Main Road	Chapin Road
Main Road	East Road
Maple Lane	Linn Road
Maple Ridge Road	Black Point Road
Maple Ridge Road	CTH B
Maple Ridge Road	Linton Road
Maple Ridge Road	South Lakeshore Drive
Maple Ridge Road	Southland
Meadow Court	South Lakeshore Drive
Mill Road	CTH B
Mohawk Road	Hillside Road
Mohawk Road	Swamp Angel Road
North Creekside Road	South Shore Drive
North Lakeshore Drive	Knollwood Road
Oakrest Avenue	Linn Road
Oakwood Road	Elgin Club Road
Orchard Road	Woodale Road
Oriole Road	Knollwood Drive
Shadow Lane	South Shore Drive
Shoreview Drive	Indian Drive
Shoreview Drive	Oriole Road
South Lakeshore Drive	Linton Road
State Line Road	Hillside Road
State Line Road	STH 120
Sunset Drive	Chapin Road

Swamp Angel Road	CTH 120
Swamp Angel Road	Railroad tracks
Swamp Angel Road	State Line Road
West Side Road	CTH B
West Side Road	STH 120
Wildwood Road	South Lakeshore Drive
Willow Road	South Lakeshore Drive
Willow Road	STH 120
Wilmot Boulevard	South Street
Wooddale Drive	South Shore Drive
Zenda Road	Builders Court
Zenda Road	CTH B
Zenda Road	CTH BB
Zenda Road	Forest Glen Street (sign on Forest Glen Street)
Zenda Road	Mohawk Road (sign on Zenda Road)
Zenda Road	Railroad tracks
Zenda Road	South Lakeshore Drive

(2) There shall be a four-way stop at the intersection of South Lakeshore Drive, Willow Road and Linton Road. [Added 11-13-2006]

- C. Yield signs to be erected. In the interest of public safety, yield right-of-way signs shall be installed at the following intersections on highways in the exclusive jurisdiction of the Town, provided that if the intersected highway is part of a through highway designated under Subsection A of this section, the provisions of § 349.07(7)(a), Wis. Stats., apply:

Traffic on	Yields at
Black Point Road	Wooddale Drive
Crescent Drive	Shoreview Drive
Fair Oaks Road	Linden Road
Forest Glen Street	Mill Road
Hilltop Drive	Bluebird Drive
Knollwood Drive	Lakeshore Drive

Linden Road

Wooddale Drive

- D. Operators to obey traffic control devices. Every operator of a vehicle approaching an intersection at which an official traffic control device is erected in accordance with this section shall obey the direction of such official traffic control device as required by the Wisconsin Statutes incorporated by reference in § 9-1 of this chapter. Operators of vehicles approaching a stop sign shall stop before entering a highway as required by § 346.46, Wis. Stats. Operators approaching intersections at which a yield sign has been installed shall yield the right-of-way to other vehicles as required by § 346.18(6), Wis. Stats.

§ 9-4. Weight limits and heavy traffic routes.

- A. Streets designated Class "B" highways. All highways within the Town of Linn, Wisconsin, are hereby designated Class "B" highways subject to the weight limitations imposed on Class "B" highways by § 348.16, Wis. Stats., except under the following conditions enumerated in Subsection B of this section.
- B. Special and season weight limitations. The Town Board shall have the authority to impose special or seasonal weight limits on any highway, bridge or culvert maintained by the Town to prevent injury to the roadway or for the safety of the users of such bridge or culvert and shall be responsible for erecting uniform traffic control devices giving notice thereof.

§ 9-5. Parking regulations.

- A. Parking prohibited at all times. Except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers or property and while the vehicle is attended by a licensed operator so that it may be moved promptly in case of an emergency or to avoid obstruction of traffic, no person shall at any time park or leave standing any vehicle or trailer upon any of the following roads or highways or parts of the roads or highways:

Birches Drive

Burr Oak Drive

Chapin Road

Hillside Road

Linn Pier Road

Loramoor Drive

Maple Street

Poplar Avenue

Shadow Lane

State Trunk Highway 120 from the south limit of the City of Lake Geneva to the east and west 1/4 section line of Section 12, Town 1 North, Range 17 East

Wildwood Road

- B. Parking, stopping or standing prohibited. No person shall park, stop or leave standing any vehicle for any purpose upon the highways or parts of highways at any time where signs are erected giving notice thereof.
- C. Limited time parking. When official traffic signs are erected in any block giving notice thereof, no person shall park, stop or leave standing any vehicle, whether attended or unattended, for more than the time periods set forth on said sign, on the highway or parts thereof.
- D. Miscellaneous parking restrictions.
 - (1) Street maintenance. Whenever it is necessary to clear or repair a Town roadway or any part thereof, the Town Highway Superintendent shall post such highways or parts thereof with signs bearing the words "No Parking - Street Maintenance Work." Such signs shall be erected at least two hours prior to the time that street maintenance work is to be commenced. No person shall park a motor vehicle in violation of such signs.
 - (2) Parking in driveways. No person shall park or leave standing any motor vehicle in any private driveway without the permission of the owner or lessee of the property upon which such driveway is located, whether or not such driveway is posted to limit or restrict parking.
 - (3) Parking heavy vehicles in residential districts. No operator of a motor truck, truck-tractor, trailer, or semitrailer or any other vehicle or combination of vehicles other than motorbuses weighing more than 6,000 pounds shall park such vehicle on any highway other than a routed state trunk highway in any residential district except for such time as is reasonably necessary to facilitate the loading or unloading of the vehicle.
 - (4) No parking for snow removal.
 - (a) For the purpose of removing snow from the streets and surrounding areas, the Town Board may erect signs prohibiting parking in the particular area where snow is intended to be removed. The Police Department may tow away all vehicles parked in violation of the no-parking sign pursuant to this subsection. Any person who violates this subsection may be subject to a forfeiture plus the costs of towing and storing the vehicle.
 - (b) Emergencies.
 - [1] If the Town Board or Chief of Police declares that an emergency exists making streets hazardous during and following a snowstorm

until the snow has been removed from and sand applied where necessary to public streets:

- [a] No person shall park, stop or leave standing any vehicle on any public street in an area which has been marked with signs or barriers by the police of said Town indicating no parking due to snow removal.
- [b] No person shall park or leave standing any vehicle on any street after a snowfall of 1 1/2 inches in depth or more until after the snow has been removed or plowed to the curbline.
- [2] In the event that any vehicle is abandoned and left standing in violation of Subsection D(4)(b)[1], the vehicle may be removed by or under the supervision of the Police Department of the Town. The cost of the removal shall be charged against the owner or the one in possession of the vehicle.
- [3] The following temporary parking shall be permitted:
 - [a] The vehicle of a doctor.
 - [b] Vehicles being used for deliveries.
 - [c] Police, fire and other emergency vehicles.
 - [d] Any vehicle with a handicapped sticker affixed to it.
- (5) Fire lanes. When signs are erected giving notice, no person shall park any vehicle in a fire lane. The Police Department shall tow away all vehicles parked in violation of this subsection. Any person who violates this subsection shall be subject to a forfeiture plus the costs of towing and storing the vehicle.
- (6) Unattended vehicles.
 - (a) No person shall leave an automobile unattended on any street, parking lot, public ground or alley while the motor is running. No person shall permit a motor vehicle in his custody to stand or remain unattended upon any street, alley or public place in the Town without first stopping the engine, locking the ignition, removing the key and taking it with him.
 - (b) Whenever any police officer finds any motor vehicle standing in violation of the provisions in Subsection D(6)(a), the officer shall remove the key and deliver the same to the Police Department. Upon so doing, the officer shall attach to the vehicle a notice that the keys will be returned upon presentation of the notice and proof of ownership of the vehicle.
- (7) Boat trailer parking. No person shall at any time park or leave standing a boat trailer upon any of the following roads or highways or parts of the roads or highways: [Added 10-9-1998]

Birches Drive
Center Street
Maple Lane
Sunnyside Avenue

- E. Removal of illegally parked vehicles. Any vehicle parked or left standing upon a highway, street or alley or other public grounds in violation of any of the provisions of this section or § 9-1 of this chapter is declared to be a hazard to traffic and public safety. Such vehicle shall be removed by the operator, upon request of any police officer, to a position where parking, stopping or standing is not prohibited. Any police officer, after issuing a citation for illegal parking, stopping or standing of an unattended vehicle in violation of this code, is authorized to remove such vehicle to a position where parking is not prohibited. The officer may order a motor carrier holding a permit to perform vehicle towing services, a licensed motor vehicle salvage dealer or a licensed motor vehicle dealer who performs vehicle towing services to remove and store such vehicle in any storage garage or rental parking grounds or any facility of the person providing the towing services. In addition to other penalties provided by § 9-6 of this chapter, the owner or operator of a vehicle so removed shall pay the cost of towing and storage. If towing is done by the Police Department, the sum of \$50 shall be paid for towing.
- F. Registration record of vehicle as evidence. When any vehicle is found upon a street or highway in violation of any provision of this code regulating the stopping, standing or parking of vehicles and the identity of the operator cannot be determined, the owner as shown by the ownership registration of the vehicle supplied by the Wisconsin Department of Transportation, or a comparable authority of any other state, shall be subject to appropriate penalty.

§ 9-6. Abandoned vehicles.

- A. Abandonment of vehicles prohibited. No person shall leave unattended any motor vehicle, trailer, semitrailer or mobile home on any public street or highway, or public or private property, for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. When any such vehicle has been left unattended on any Town street or highway, or on any public or private property, within the Town without the permission of the owner for more than 48 hours, the vehicle is deemed abandoned and constitutes a public nuisance.
- B. Exceptions. This section shall not apply to a vehicle in an enclosed building or a vehicle in an appropriate storage place or a depository maintained in a lawful place and manner authorized by the Town.
- C. Removal and impoundment or sale. Any vehicle found abandoned in violation of this section shall be impounded by the Chief of Police until lawfully claimed or disposed of as provided in this section. If the Chief of Police or his duly authorized representative determines that towing costs and storage charges for the minimum impoundment period would exceed the value of the vehicle, the vehicle may be junked or sold prior to the expiration of the impoundment period upon

determination by the Chief of Police that the vehicle is not wanted for evidence or any other reason, provided that vehicles in excess of 19 model years of age shall be sold or disposed of only by auction, sale or sealed bid in accordance with § 342.40(3)(c), Wis. Stats.

- D. Minimum impoundment period. The minimum period of impoundment or storage of a vehicle found in violation of this section shall be 10 days.
- E. Notice to owner. The officer removing or causing the removal of any vehicle found in violation of this section shall immediately notify the Chief of Police of the abandonment and location of the impounded vehicle and shall, within two days thereafter, notify the owner and lienholders of record, by certified mail, of the impoundment and of their right to reclaim the vehicle. The notice shall set forth the information contained in § 342.40(3), Wis. Stats., and shall state that the failure of the owner or lienholders to exercise their right to reclaim the vehicle shall be deemed a waiver of all right, title and interest in the vehicle and a consent to sale of the vehicle.
- F. Sale. Each retained vehicle not reclaimed by the owner or lienholder may be disposed of by sealed bid or auction sale as provided in § 342.40(3), Wis. Stats.
- G. Owner responsible for impoundment and sale costs. The owner of any abandoned vehicle, except a stolen vehicle, is responsible for the abandonment and all costs of impoundment and disposing of the vehicle. Costs not recovered for the sale of the vehicle may be recovered in a civil action by the Town against the owner.
- H. Notice of sale or disposition. Within five days after the sale or disposal of a vehicle as provided in this section, the Police Chief or his representatives shall advise the State Department of Transportation, Division of Motor Vehicles, of such sale or disposition on a form supplied by the Division. A copy of such form shall also be given to the purchaser of the vehicle and a copy shall be retained by the Town.
- I. Sale to bar claims against vehicle. The sale of a motor vehicle under the provisions of this section shall forever bar all prior claims thereto and interest therein except as hereinafter provided.
- J. Purchaser to remove vehicle. The purchaser of any vehicle on sealed bid or auction sale under Subsection F of this section shall have 10 days to remove the vehicle from the storage area upon payment of a storage fee of \$25 for each day the vehicle has remained in storage after the second business day subsequent to the sale date. Ten days after the sale, the purchaser shall forfeit all interest in the vehicle and the vehicle shall be deemed to be abandoned and may be again sold.
- K. Request for list. Any listing of vehicles to be sold pursuant to this section shall be made available by the Town Clerk/Treasurer to any interested person or organization who or which makes a written request therefor, for a fee of \$10.
- L. Exemption.
 - (1) Any owner or person operating a registered vehicle which shall become disabled or inoperative for any reason and who shall be unable to cause

removal of such vehicle from any alley, street, highway or public place, not otherwise regulated as a restricted parking, stopping or standing zone, shall, within 12 hours of such occurrence, notify the Chief of Police or the Town Police Department of the location of the vehicle and shall transfer and deliver clear title for said vehicle to the Town together with the current towing price and junking charges and shall be exempt from the provisions of this code.²

- (2) When so requested by the owner or person in charge of a vehicle, the Chief of Police shall be authorized to order such vehicle removed and junked directly from the scene of disablement by the Highway Superintendent or contractor engaged by the Town for towing of disabled vehicles.

§ 9-7. Speed limits. [Amended 7-10-2000; 4-12-2004; 9-12-2005; 12-12-2005; 2-12-2007; 10-8-2007]

The Town Board hereby determines that the statutory speed limits on the following highways and roads and portions thereof are unreasonable, unsafe or imprudent and modifies such speed limits to decrease the same as follows:

- A. Fifteen miles per hour. Fifteen miles per hour on:
 - (1) Loramoor Drive.
 - (2) East Beach Drive.
 - (3) Elm Street.
 - (4) Maple Street.
 - (5) Hickory Street.
 - (6) Poplar Avenue.
 - (7) Border Drive.
 - (8) Linn Road from the fifteen-miles-per-hour official speed limit sign to the waters of Geneva Lake.
- B. Twenty-five miles per hour. Twenty-five miles per hour on:
 - (1) Basswood Drive.
 - (2) Harwood Drive.
 - (3) Cisco Road.
 - (4) Oriole Road.
 - (5) Knollwood Drive.
 - (6) Chapin Road.

2. Editor's Note: Amended at time of adoption of Code (see Code Adoption Ordinance).

- (7) Blackpoint Road.
- (8) Elgin Club Road.
- (9) Fair Oaks Road.
- (10) Lackey Lane.
- (11) Hillside Road north of old Highway BB.
- (12) Laurel Street.
- (13) Maple Ridge Road north of Blackpoint Road.
- (14) Oakwood Drive.
- (15) Southland Lane.
- (16) South Land Road.
- (17) South Street.
- (18) Snake Road.
- (19) Wooddale Drive.
- (20) Linn Road to official sign for 15 miles per hour from Memorial Day through Labor Day; 35 miles per hour the remaining days of the year.
- (21) South Lakeshore Drive between the intersection of North Creekside Lane and the Village of Fontana-on-Geneva Lake.
- (22) South Lakeshore Drive from the southerly most point of the Big Foot Beach south 1,040 feet.

C. Thirty-five miles per hour. Thirty-five miles per hour on:

- (1) Academy Road.
- (2) Hillside Road south of old Highway BB to Willow Road.
- (3) Maple Ridge Road north of South Lakeshore Drive.
- (4) Mill Road.
- (5) South Lakeshore Drive from North Creekside Lane east to the eastern portion of Basswood Drive.
- (6) Zenda Road from Highway B south to south of railroad.
- (7) South Lakeshore Drive north from old Highway BB to the southerly most boundary of the City of Lake Geneva.
- (8) South Lakeshore Drive from old Highway 120 westerly to the intersection of South Lakeshore Drive, Willow Road and Linton Road.
- (9) Linton Road from the intersection of South Lakeshore Drive and Willow

Road westerly to Brink Road.

- D. Forty miles per hour. Forty miles per hour on:
 - (1) South Lakeshore Drive between Linn Road and the eastern portion of Basswood Drive and Linton Road between the eastern and wester most signs designating the Linton unincorporated limits.
- E. Forty-five miles per hour. Forty-five miles per hour on:
 - (1) South Lakeshore Drive between old County Trunk BB and Linn Road.
- F. Fifty-five miles per hour. Fifty-five miles per hour on:
 - (1) Linton Road from Brink Road to the eastern most sign designating the Linton unincorporated limits.
 - (2) Linton Road from the western most sign designating the Linton unincorporated limits to Academy Road.
- G. School zone speed limit. The speed limit in the Traver School Zone on Linton Road shall be 35 miles per hour, when children are present. The Traver School Zone shall be that area between the school zone signs as placed by the Town of Linn Highway Department.

§ 9-8. Accident reports.

- A. Operators to file. The operator of any vehicle involved in an accident resulting in injury to or death of any person, or property damage to an apparent total extent of \$200 or more, shall, within 10 days after such accident, file with the Town of Linn Police Department a copy of the report required by § 346.70, Wis. Stats.
- B. Reports confidential. Accident reports filed under this section shall be for the confidential use of the Department and shall not be open to public inspection; except as permitted by § 346.73, Wis. Stats., such reports shall not be used as evidence in any trial or proceeding.

§ 9-9. Snowmobiles.³

- A. In addition to the provisions of § 13-15 of this Code, the statutory provisions describing and defining regulations with respect to snowmobiles in Ch. 350, Wis. Stats., and the definition of "motor vehicle" in § 340.01(35), Wis. Stats., including all subsequent revisions and additions thereto, are hereby adopted and by reference made a part of this section 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 section.
- B. In the interest of public health and safety the following laws and regulations are adopted:

³. Editor's Note: Amended at time of adoption of Code (see Code Adoption Ordinance).

- (1) Operation forbidden on public property. Except as provided in §§ 350.02 and 350.03, Wis. Stats., no person shall operate a snowmobile upon the path around the lake or any other public right-of-way or street or in any public park or on any other public property unless the same or any parts thereof have been designated as snowmobile routes and the trails have been clearly marked by municipal authorities.
- (2) Rules of road adopted. If snowmobile routes are designated over public highways, operators of vehicles upon them shall observe the rules of the road for motor vehicles set forth in Ch. 346, Wis. Stats., in addition to any special rules adopted by this section, and where operated over parks or other recreational areas, the speed shall not be in excess of the posted speed limit.
- (3) Unattended vehicles. No person shall leave or allow a snowmobile owned or operated by him to remain unattended while the motor is running or with the starting key left in the ignition.
- (4) Operation on private premises restricted. No person shall operate a snowmobile on any private property not owned or controlled by him without the express consent and permission of the owner or occupant of such land.
- (5) Accidents and accident reports.
 - (a) Definition. "Snowmobile accident" means a collision, accident or other casualty involving a snowmobile.
 - (b) Rendering help. If he can do so without serious danger to his own snowmobile or to persons on board, the operator of a snowmobile involved in a snowmobile accident shall stop his snowmobile and shall render to other persons affected thereby such assistance as may be practicable and necessary to save them from or minimize any danger caused by the accident and shall give his name and address and identification of his snowmobile to any person injured and to the owner of any property damaged in the accident.
 - (c) Reporting accident.
 - [1] If the snowmobile results in death or injury to any person or totals property damage in excess of \$200, every operator of a snowmobile involved in such accident shall, as soon as possible, notify the Police Department having jurisdiction over the area in which the accident occurred and file a written report thereof with such Department on forms prescribed by it.
 - [2] If the operator of a snowmobile is physically incapable of making the report required by this section and there is another occupant in the snowmobile at the time of the accident who is capable of making it, he or she shall make such report.
- (6) Penalties. Any person who shall violate any of the provisions of this section shall, upon conviction thereof, except where otherwise provided herein, forfeit

not less than \$50 nor more than \$500, together with the costs of prosecution, and in default of payment of the forfeiture and costs of prosecution shall be imprisoned in the county jail until such forfeiture and costs are paid, but not exceeding 30 days, and provided further that the forfeiture imposed shall not exceed the maximum fine permitted under the statute adopted by reference.

§ 9-10. Driving onto lake.

No person shall remove, without proper authority, any rope, cable or barricade of any description which has been placed across any entrance to Geneva Lake. No person shall drive a motor-driven vehicle in such a manner as to bypass or circumvent any barricade across an entrance to Geneva Lake when such barricade has been so placed by proper authorities for the purpose of warning drivers not to enter the frozen surface of Geneva Lake.

§ 9-11. Display of power prohibited.

No person shall make unnecessary and annoying noises with a motor vehicle, by squealing tires, excessive acceleration of engine, or by emitting unnecessary and loud muffler noises.

§ 9-12. Liquor in vehicles.

- A. No underage person, unaccompanied by a parent, guardian or spouse, may possess, transport or have under his control any alcohol beverage in any motor vehicle, unless such person is employed by an alcohol beverage licensee and such possession is during regular working hours and in the course of his employment.
- B. No person shall have in his possession an open container containing an alcohol beverage in a motor vehicle on a public street, alley or highway within the Town.

§ 9-13. Enforcement procedure.

- A. This chapter shall be enforced according to §§ 66.0114 and 345.20 to 345.53 and Ch. 800, Wis. Stats., including § 345.28(4) and (5) for nonmoving violations.
- B. Deposit. Any person arrested for a violation of this chapter may make a deposit of money as directed by the arresting officer at the police station, the Linn-Geneva Court's office at 626 Geneva Street, Lake Geneva, Wisconsin 53147, or by mailing the deposit to such places.⁴
 - (1) The arresting officer or the person receiving the deposit shall notify the arrested person, orally or in writing, that:
 - (a) If he fails to appear in Court at the time fixed in the citation, he will be deemed to have tendered a plea of no contest and submitted to a forfeiture plus costs not to exceed the amount of the deposit; or

4. Editor's Note: Amended at time of adoption of Code (see Code Adoption Ordinance).

- (b) If he fails to appear in Court at the time fixed in the citation and if the Court does not accept the deposit as a forfeiture, he will be summoned into Court to answer the complaint.
 - (2) The amount of the deposit shall be determined in accordance with the deposit schedule established by the Wisconsin Judicial Conference and shall include the penalty assessment established under § 757.05, Wis. Stats., and costs. If a deposit schedule has not been established, the arresting officer shall require the alleged defendant to deposit the forfeiture established by the Chief of Police, which shall include the penalty assessment established under § 757.05, Wis. Stats. Deposits for nonmoving violations shall not include the penalty assessment.
 - (3) The arresting officer or the person receiving the deposit shall issue to the arrested person a receipt therefor as required by § 345.26(3)(b), Wis. Stats.
- C. Stipulation of no contest. Any person charged with a violation of this chapter, except §§ 346.62(1) and 346.63(1), Wis. Stats., adopted by reference in § 9-1, may make a stipulation of no contest pursuant to § 345.27, Wis. Stats., which shall be received at the police station or the office of the Clerk of Court within 10 days of the date of the alleged violation. Such person shall, at the time of entering into the stipulation, make the deposit required under Subsection B of this section if he has not already done so. A person who has mailed or filed a stipulation under this subsection may, however, appear in Court on the appearance date and may be relieved from the stipulation for cause shown as required in § 345.37, Wis. Stats.
- D. Citations.⁵
- (1) 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 except those provisions which describe or define nonmoving traffic violations.
 - (2) Parking citations. The Chief of Police shall recommend a citation for use in enforcing the nonmoving traffic offenses of this code. When approved by the Town Board, such citation shall be used for enforcement of nonmoving traffic regulations created or adopted by this code, including violations of nonmoving traffic regulations defined and described in the Wisconsin Statutes adopted by reference in § 9-1 and all provisions of §§ 9-5 and 9-6 of this code. The citation for nonmoving traffic violations shall contain a notice that the person cited may discharge the forfeiture for violation of a nonmoving traffic regulation and penalty thereof by complying with Subsection B of this section. Nonmoving traffic citations may be issued by law enforcement officers.
- E. Nonmoving traffic offenses; direct payment of penalty permitted. Persons cited for violation of nonmoving traffic offenses described and defined in this code may discharge the penalty thereof and avoid court prosecution by forwarding within five

⁵. Editor's Note: Original § 9.13(d)1, Authority to issue citations, which appeared at the beginning of this subsection, has been moved to Ch. 1, General Provisions.

days of the issuance of the citation to the Town Police Department the minimum penalty specified for the violation. If not so forwarded, the penalty may be discharged by forwarding within 30 days of the date of the citation to the above-named office the amount of \$20. When payment is made as provided in this subsection, no court costs shall be charged. If the alleged violator does not deliver or mail a deposit as provided herein within 30 days of the date of the citation, the Chief of Police shall forward a copy of the citation to the Town Attorney for prosecution according to law.

§ 9-14. Violations and penalties.

- A. Forfeiture penalty. The penalty for violation of any provision of this code shall be a forfeiture as hereinafter provided together with the costs of prosecution and the penalty assessment imposed by § 757.05, Wis. Stats., where applicable. Payment of the judgment may be suspended by the sentencing judge for not more than 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 code may, upon order of the court entering judgment therefor and having jurisdiction of the case, be imprisoned until such forfeiture, costs and assessment are paid, but not exceeding 90 days.
- B. 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.
- C. Forfeitures for uniform traffic offenses. Forfeitures for violations of any traffic regulations set forth in the Wisconsin Statutes adopted by reference in § 9-1 of this chapter 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 code of any offense for which an imprisonment penalty or fine may be imposed upon the defendant.
- D. Forfeitures for parking violations.
 - (1) Forfeitures for uniform statewide parking, stopping and standing offenses. Minimum and maximum forfeitures for violation of the offenses described in § 346.51 to 346.55, Wis. Stats., adopted by reference in § 9-1 of this code shall be:⁶

Section	Offense	Forfeiture	
		Minimum	Maximum
346.51(1)	Improper parking on/off roadway	\$5	\$200

⁶. Editor's Note: Amended at time of adoption of Code (see Code Adoption Ordinance).

346.52(1)	Stopping/standing in prohibited areas	\$5	\$40
	2nd conviction within 1 year	\$10	\$100
346.52(2)	Stopping/standing on highway by grade school	\$5	\$40
	2nd conviction within 1 year	\$10	\$100
346.53	Parking/standing where prohibited	\$5	\$40
	2nd conviction within 1 year	\$10	\$100
346.54	Improper parking/standing of vehicle	\$5	\$40
	2nd conviction within 1 year	\$10	\$100
346.55(1)	Parking on left side of highway	\$5	\$100
346.55(3)	Parking on posted private property	\$5	\$100
	2nd conviction within 1 year	\$10	\$100

(2) Penalty for other parking violations. The penalty for all other parking violations not included under Subsection A of this section shall be a forfeiture of not less than \$50 nor more than \$500.

E. Other violations. Any person who shall violate any provision of this code for which a penalty is not established by this section shall be subject to a forfeiture of not less than \$50 nor more than \$1,000.