

Chapter 224

VEHICLES AND TRAFFIC

[HISTORY: Adopted by the Town Board of the Town of Summit as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Boats and boating — See Ch. 82.

Fire lanes — See Ch. 132.

ARTICLE I

Traffic Regulations

[Adopted 8-5-1993]

§ 224-1. Adoption of statutory provisions.

- A. State traffic laws adopted. Except as otherwise specifically provided in this article, all provisions of § 110.075 and Chs. 340 to 348 and 350, Wis. Stats., and Ch. TRANS 305, Wis. Adm. Code, 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 article as if fully set forth herein. Any act required to be performed or prohibited by any statute or regulation incorporated herein by reference is required or prohibited by this article. Should the State Legislature or the Department of Transportation at any time amend, repeal, reenact, add to, or recreate any provisions of § 110.075 or Chs. 340 to 348 and 350, Wis. Stats., or Ch. TRANS 305, Wis. Adm. Code, or any portion thereof contained in this article, such change is automatically incorporated by reference into this article.
- B. 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 article shall be as provided in Chs. 340 to 348, Wis. Stats., and the penalty for violation thereof shall be limited to a forfeiture as provided in this article:
- (1) § 941.01, Wis. Stats., Negligent operation of vehicle.

§ 224-2. Speed limits.¹

- A. Official Traffic Map established. There is hereby established an Official Traffic Map for the Town of Summit upon which shall be indicated speed limits, no parking areas, restricted parking areas, stop signs, yield signs, and other restrictions or limitations contained in this Code, as from time to time amended and/or modified by Town Board resolution, when the laws of the State of Wisconsin require the

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

erection or use of official traffic control devices to enforce such restrictions or limitations.

- 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 section, a violation of the restrictions, prohibitions or limitations shown on the Official Traffic Map shall be a violation of the provisions of this Code.
- C. Map to be maintained. A copy of the Official Traffic Map shall be maintained and displayed in the office of the Chief of Police.
- D. Additions to the map. The Chief of Police may from time to time make additions to or deletions from the Official Traffic Map at the direction of the Summit Town Board by resolution.

§ 224-3. Parking, stopping and standing regulated.

- A. General parking limitations. It shall be unlawful in the Town of Summit for the owner, person, firm, partnership or corporation nor any officer, member, agent, servant, employee of any firm, partnership or corporation or operator of any vehicle or any device in, upon or by which any person or property is or may be transported or drawn upon a public highway to park, stop, leave standing, or suffer any such vehicle or device at the curb, shoulder, or edge of any highway area, roadway or fire lane in the Town of Summit upon which or upon a portion of which any sign has been erected restricting, limiting or prohibiting in any way the same.
- B. Specific parking limitations. No owner, person, firm, partnership or corporation nor any officer, member, agent, servant, employee of any firm, partnership or corporation or operator shall:
 - (1) Stop or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, in any of the following places:
 - (a) Within an intersection.
 - (b) On a crosswalk.
 - (c) On a sidewalk or sidewalk area.
 - (d) Alongside or opposite any highway excavation or obstruction, when such stopping would obstruct traffic or when pedestrian traffic would be required to travel the roadway.
 - (e) On the roadway side of any parked vehicle.
 - (f) Upon any portion of highway where and at the time when stopping or standing is prohibited by official traffic signs indicating the prohibition of any stopping or standing.
 - (g) No truck, tractor, trailer, or semitrailer as defined by § 340.01, Wis. Stats., Vehicle Code definitions (73), (71) and (57), shall be parked on

any residential street between the hours of 3:00 a.m. and 6:00 a.m. on any day of the week.

- (h) In a handicap parking area, unless legally authorized to do so.
 - (i) In a fire lane.
- (2) Stop or leave standing any vehicle in any of the following places except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers and while the vehicle is attended by a licensed operator so that it may promptly be moved in case of an emergency or to avoid obstruction of traffic:
- (a) In a loading zone.
 - (b) Within 10 feet of a fire hydrant unless a greater distance is indicated by an official traffic sign.
 - (c) Within four feet of the entrance to any alley or private driveway.
 - (d) Closer than 15 feet to the near limits of a crosswalk.
 - (e) Upon any portion of a highway where and at the time when parking is prohibited, limited or restricted by official traffic signs.
 - (f) With the wheels more than 12 inches from the curb.
 - (g) Closer than two feet to a vehicle parked to the front or rear.
 - (h) Upon any portion of a highway any vehicle displayed for sale.
 - (i) Without the permission of the owner or lessee of any public or private property, contrary to a posted sign thereon, if there is in plain view on such property a "no parking" sign or a sign indicating limited or restricted parking.
- (3) Stop or leave standing any vehicle which in any way blocks the entrance to any private driveway or garage so as to prevent free passage of vehicles. Any such vehicle may, at the direction of a police officer, be removed by the Town or its representative after first attempting to give notice to the owner of said vehicle that the same must be removed.
- (4) Stop or leave standing any vehicle on a street in such a manner as to obstruct the free flow of traffic. Any such obstruction shall constitute an emergency condition detrimental to the health, safety, welfare and good order of the general public in that the movement of food, fuel supplies, medical care, fire, health and police protection is impaired, as provided for in § 166.23(2), Wis. Stats., and said vehicle may, at the direction of a police officer, be removed by the Town or its representative after first attempting to give notice to the owner of said vehicle that the same must be removed.
- C. Snow season parking. No owner, person, firm, partnership or corporation nor any officer, member, agent, servant, employee of any firm, partnership, or corporation

or operator shall stop or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, upon any portion of highway from November 1 through and including April 1.

D. Park on Genesee Lake Road, between Highway 67 and Dousman Road, except as follows:²

- (1) Parking prohibited. Except as described below, no person shall park or leave standing, or permit another to park or leave standing, any vehicle on Genesee Lake Road, between Highway 67 and Dousman Road.
- (2) Parking permitted. Parking along the right-of-way of Genesee Lake Road, for cars and car-trailer units used by the general public in association with boat launching on Lower or Middle Genesee Lakes shall be allowed only as follows:
 - (a) Along the right-of-way of Genesee Lake Road, only between signs designating parking space;
 - (b) Only one car or car-trailer unit shall be allowed in each designated space;
 - (c) The hours of parking are from 5:00 a.m. to 11:00 p.m. only.
- (3) Boat launch areas. Boat launch areas serving Lower and Middle Genesee Lakes, public access sites for anglers, shall be designated by signs at each end of the respective launch area. In order to safely permit access for the launching of boats:
 - (a) Swimming is not allowed.
 - (b) The launch areas shall be open only between the hours of 5:00 a.m. and 11:00 p.m.
 - (c) There is no parking on the beaches or launch ramp except temporarily for the purpose of and while actually engaged in the launching or loading of watercraft.
 - (d) There shall be no picnicking or loitering in the boat launch area.

§ 224-4. Unsafe driving.

No person shall operate any motor vehicle within the Town limits in such a manner which would result in the vehicle traveling in circles without legitimate purpose or reason; the squealing of tires; the spinning or smoking of tires which may or may not cause the vehicle to accelerate rapidly forward or rearward, or the undue racing of engines as an exhibition of the vehicle's power. Further, no person shall operate any vehicle or any device in, upon, or by which any person or property is or may be transported or drawn upon in an unsafe manner.

2. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

§ 224-5. Official traffic signs and signals.

A. Official Traffic Map.

- (1) Official Traffic Map established. There is hereby established an Official Traffic Map for the Town of Summit upon which shall be indicated "no parking" areas, "restricted parking" areas, stop signs, arterial intersection, yield signs, and all other restrictions or limitations contained in this code, as from time to time amended or modified by the Chief of Police when the laws of the State of Wisconsin require the erection or use of official traffic control devices to enforce such restrictions or limitations.
- (2) 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 section, a violation of the restriction, prohibition or limitation shown on the Official Traffic Map shall be a violation of the provisions of this code.
- (3) Map to be maintained. A copy of the Official Traffic Map shall be maintained and displayed in the office of the Chief of Police.
- (4) Additions to the map. The Chief of Police may from time to time make additions to or deletions from the Official Traffic Map and the Chief of Police or his designated representative shall keep such Official Traffic Map current.
- (5) The Superintendent of Highways shall procure, erect and maintain appropriate standard traffic signs, signals and markings conforming to the rules of the State Department of Transportation giving notice of the provisions of §§ 346.57, 346.58 and 346.59, Wis. Stats., and § 224-3 of this chapter. Signs shall be erected in such locations and manner as to give adequate warning to users of the street, alley or highway in question.

§ 224-6. Snowmobiles.

- A. State statutes adopted. Except as otherwise specifically provided in this code, the statutory provisions in Ch. 350, Wis. Stats., describing, defining, and regulating the operation, registration, and use of snowmobiles, including provisions relating to the penalty to be imposed or the punishment for violation of such statutes, are hereby adopted and by reference made a part of this article as it fully set forth herein. Any act required to be performed or prohibited by any regulation incorporated herein by reference is required or prohibited by this code. Any future amendments, revisions, or modifications of the statutory regulations in Ch. 350, Wis. Stats., incorporated herein are intended to be made part of this article in order to secure to the extent legally practicable uniform statewide regulation of snowmobiles.
- B. Applicability of rules of the road to snowmobiles. The operator of a snowmobile upon a roadway shall, in addition to the provisions of Ch. 350, Wis. Stats., be subject to §§ 346.04, 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, 346.87, 346.88,

346.89, 346.90, 346.91, 346.92(1) and 346.94(1) and (9), Wis. Stats.

- C. The Town Board adopts the following provisions by reference: Ch. NR 6, Wis. Adm. Code, regarding snowmobile noise.³

§ 224-7. All-terrain vehicles.

- A. State statutes adopted. Except as otherwise specifically provided in this Code, the statutory provisions in Ch. 23, § 23.33, Wis. Stats., describing, defining and regulating the operation, registration and use of all-terrain vehicles, including provisions relating to the penalty to be imposed or the punishment for violation of such statutes, are hereby adopted and by reference made a part of this article as if fully set forth herein. Any act required to be performed or prohibited by any regulation incorporated herein by reference is required or prohibited by this code. Any future amendments, revisions or modifications of the statutory regulations in Ch. 23, § 23.33, Wis. Stats., incorporated herein are intended to be made part of this article in order to secure to the extent legally practicable uniform statewide regulation of all-terrain vehicles.

§ 224-8. Prohibited operation of motor vehicles on public thoroughfares by unlicensed juveniles.

- A. Subject to the applicable provisions of the Wisconsin Statutes and Wisconsin Administrative Code, no unlicensed juvenile under 16 years of age shall operate any motor vehicle, whether registered or unregistered, on the public thoroughfare.
- B. Definitions. For the purposes of this section, the following terms shall have the meanings indicated:

MOTOR VEHICLE — A vehicle which is self-propelled.

OPERATE — Driving or in actual physical control of a motor vehicle.

PUBLIC THOROUGHFARE — Includes any public road, street, alley, highway, freeway, interstate, county trunk highway or public right-of-way and shall include the grass area within the statutory limits of the public thoroughfare and contiguous to the traveled portion thereof.⁴

§ 224-9. Violations and penalties. [Amended 9-3-1993 by Ord. No. 200⁵]

In addition to such other penalties and remedies that may apply, any person violating the requirements of this article shall upon conviction pay the forfeiture as provided for in Chapter 1, General Provisions, Article I, Penalties, of the Code of the Town of Summit,

3. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

4. Editor's Note: Original Sec. 7.09, Weight limitations, which was added 9-3-1993 by Ord. No. 200 and which immediately followed this definition, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. II). See Art. III, Heavy Vehicles, of this chapter.

5. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

including any amendments that may be made thereto in the future.⁶

ARTICLE II
Motor Vehicle Noise
[Adopted 9-9-2004 by Ord. No. 04-246]

§ 224-10. Prohibition.

No person shall make any unnecessary or annoying noises with a motor vehicle by squealing tires, the use of motor vehicle brakes which are in anyway activated or operated by the compression of the engine (i.e., a Jacob's Engine Brake (TM) or similar hydraulically operated device that converts a power-producing diesel engine into a power-absorbing retarding mechanism), excessively accelerating the engine, blowing the horn or emitting unnecessary and loud muffler noises.

§ 224-11. Exception.

It shall be in an affirmative defense to prosecution under this article that the otherwise prohibited noise was necessary for the protection of persons and/or property.

§ 224-12. Public nuisance.

A violation of this article is declared to be a public nuisance.

§ 224-13. Violations and penalties.

In addition to such other penalties and remedies that may apply, any person violating the requirements of this article shall upon conviction pay the forfeiture as provided for in Chapter 1, General Provisions, Article I, Penalties, of the Code of the Town of Summit, including any amendments that may be made thereto in the future.

ARTICLE III
Heavy Vehicles
[Adopted 11-4-2004 by Ord. No. 04-247]

§ 224-14. Travel restricted.

All vehicles not operating completely on pneumatic tires and all vehicles or combination of vehicles, other than motor buses, designed or used for transporting property of any nature and having a gross weight of more than 20,000 pounds are prohibited from traveling on any highway in the Town of Summit, unless one of the following exceptions apply:

- A. Said vehicles shall be allowed to travel on all US highways and state trunk highways in the Town of Summit;
- B. Said vehicles shall be allowed to travel on any highway in the Town of Summit for

⁶. Editor's Note: Original Sec. 7.11, Enforcement, which immediately followed this section, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

the purpose of obtaining orders for supplies or moving or delivering supplies or commodities to or from any place of business or residence which has an entrance on such highway;

C. Heavy traffic route.

- (1) Said vehicles shall also be allowed along the following stretches of highway in the Town of Summit, which shall constitute the "heavy traffic route":
 - (a) County Trunk Highway B from the west Town limits to the east Town limits;
 - (b) County Trunk Highway BB from US Highway 18 to County Trunk Highway B;
 - (c) County Trunk Highway DR from County Trunk Highway BB to the east Town limits;
 - (d) County Trunk Highway P from US Highway 18 to the north Town limits.
- (2) Although the foregoing descriptions are given in one direction of travel, heavy traffic may travel on these routes in any direction or combination of described highways.

§ 224-15. Violations and penalties.

In addition to such other penalties and remedies that may apply, any person violating the requirements of this article shall, upon conviction, pay the forfeiture as provided for in Chapter 1, General Provisions, Article I, Penalties, of the Code of the Town of Summit, including any amendments that may be made thereto in the future.