

6.02 Parking Restrictions

(1) **RESTRICTIONS.** 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 upon any of the following locations:

- (a) On the east side of South Washington Street for 166 feet south from Rhine Street.
- (b) On the west side of South Washington Street from Rhine Street south to Osthoff Avenue.
- (c) On the east side of South Lake Street in the curve at Siebkens Resort where indicated by yellow curbing.
- (d) On the east side of South East Street for fifty (50) feet south from Square Street.
- (e) On the west side of South East Street for thirty (30) feet south from Square Street.
- (f) On the west side of South East Street in the curve where indicated by yellow curbing.
- (g) On Osthoff Avenue in the curves where indicated by yellow curbing.

- (h) On both sides of South Lake Street north from County Highway AJ (Hickory Lane) to Osthoff Avenue.
- (i) Limited to 30 minute or police parking on the south side of Pine Street from North Lake Street east for one hundred and six (106) feet to the beginning of the Fire Station.
- (j) On the north side of East Rhine Street for 55 feet east from North East Street.
- (k) On the north side of East Rhine Street for 50 feet east from North Washington Street.
- (l) On the north side of East Rhine Street for 45 feet west from North Washington Street.
- (m) On the south side of East Rhine Street for 99 feet west from South Washington Street.
- (n) On the south side of East Rhine Street for 65 feet east from South Washington Street.

(2) All provisions of Chapter 346 of the Wisconsin Statutes with respect to the parking of vehicles are adopted.

(3) **ALL-NIGHT PARKING REGULATED.**

(a) No parking of any motor vehicle shall be permitted on either side of any Village street or in the parking lot north of Square Street or in the parking lot on North East Street between the hours of 2:00 o'clock A.M. and 6:00 A.M. commencing on the fifteenth (15th) day of November and ending on the first (1st) day of April on every year.

(b) Any vehicle parked in violation of the provisions of this ordinance shall be removed from the streets and stored, and such removal and storage shall be at the expense of the owner of said vehicle.

(4) **DELEGATION TO CHIEF OF POLICE.** Authority is hereby delegated to the Chief of Police of this Village to regulate any stopping, standing or parking of any motor vehicle on any street or roadway in the Village, and in connection therewith, to order the temporary erection and maintenance of signs and signals which are considered necessary with such regard under the following regulations:

(a) Any regulation of stopping, standing or parking, which is effective under this subsection, must be in conformity with Section 349.13, Wis. Stats., as amended, and statues referred to therein.

(b) No such regulation, prohibition or limitation proposed or effected by the Chief of Police shall be in effect more than 48 hours, unless it shall be forwarded by letter to the Clerk-Treasurer at least one week before such regulation is to take effect, setting forth the proposed restriction and area affected, and the Clerk-Treasurer shall inform the Board by reading said letter at the next meeting of the Board.

(5) **NONMOVING PROGRAM AND REGISTRATION PROGRAM.** Pursuant to the provisions of Section 345.28(4) of the Wisconsin Statutes, as amended, the Village elects to participate in the nonmoving traffic violation and registration program of the Wisconsin Department of Transportation and pay the costs established by the Department under the Wisconsin Statutes; such costs shall, in turn, be assessed against persons charged with nonmoving traffic violations. The Chief of Police shall be responsible for complying with the requirements set forth in Section 345.28(4) of the Wisconsin Statutes, as amended.

(a) 1. If the person does not pay the forfeiture or appear in court in response to the citation for a nonmoving traffic violation on the date specified in the citation or, if no date is specified in the citation, within 28 days after the citation is issued, the authority may notify the department in the form and manner prescribed by the department that a citation has been issued to the person and the citation remains unpaid.

2. The authority shall specify whether the department is to suspend the registration of the vehicle involved under s. 341.63(1)(c) or refuse registration or any vehicle owned by the person under s. 341.10(7m) or both.

(b) The notice to the department under par. (a) 1. shall include the name and last-known address of the person against whom the citation was issued, the date the citation was issued, the license number of the vehicle involved, certification that 2 notices which meet the requirements under par. (c) or sub. (5m) (d) have been mailed to the last-

known address of the person against whom the citation was issued and that the citation remains unpaid on the date specified in the citation or, if no date is specified in the citation, 28 days after the citation was issued, the place that the citation may be paid, the means by which the citation may be contested and the action the department is to take.

(c) The notices to the person required under par. (b) shall be mailed on 2 separate days to the last-known address of the person to whom the citation was issued and shall include the date the citation was issued, the license number of the vehicle involved, the place the citation may be paid, the means by which the citation may be contested and the date by which the person must pay or contest the citation to avoid further action by the authority. The notice shall inform the person of the specific actions which the authority and the courts are authorized to take under this section if the person fails to pay the forfeiture or appear in court in response to the citation by the date specified in the notice.

(d) The authority may assess the person for the cost of using the traffic violation and registration program as established by the department under s. 85.13.

(e) If the person subsequently pays the amount of the forfeiture and the costs, if any, under par. (d) or appears in court in response to the citation or a notice by the authority who issued the citation or the department, the department shall be immediately notified in the form and manner prescribed by the department. If the vehicle involved in the nonmoving traffic violation is owned by a person engaged in the business of renting or leasing motor vehicles and the owner pays the costs, if any, under par. (d) and 50% of the forfeiture, the authority shall immediately notify the department in the form and manner prescribed by the department.

(f) Upon the person's appearance in court in response to a notice by the authority who issued the citation or the department, the procedures under ss. 345.34 to 345.47 apply.

(g) Notification of the department under par. (a) 1. shall toll any applicable statute of limitation for 4 years from the date of the notification.

(h) If an authority receives payment of 50% of a forfeiture from the owner of a leased or rented vehicle involved in a nonmoving traffic violation and receives payment of the forfeiture from the lessee or renter of the vehicle charged with the violation, the authority shall refund to the owner the 50% payment received.

(i) Notwithstanding any other provision of this subsection or ss. 341.10(7m) and 341.63(1)(c), the department may permit an authority to send a single notice to the department under par. (a) 1. with respect to 2 or more citations that have been issued to a person and remain unpaid and, if an authority sends a notice specified in this paragraph to the department, the authority and department shall treat any such notice for purposes of any other provision of this section or ss. 341.10(7m) and 341.63(1)(c) in the same manner as a notice to the department under par. (a) 1. with respect to a single citation.

(6) PROCEDURE. Upon receipt from a police officer or parking monitor of a notice of parking violation as set forth in this chapter, the violator may:

(a) Stipulate guilt and deliver in person or mail the notice of parking violation together with the forfeiture payment to the Village; or

(b) Contest the parking ticket by contacting the police department. Failure to make payment of the forfeiture, or to contest the citation within ten (10) days of the issuance of the citation, shall result in the generation of a first notice of violation. With generation of said notice, a ten dollar (\$10.00) administrative fee shall be assessed. Failure to make payment of the forfeiture and administrative fee as assessed, or to contest the citation within twenty-one (21) days of the issuance of the citation, shall result in the generation of a second and final notice of violation. With generation of said second notice, an additional administrative fee of ten dollars (\$10.00) shall be assessed. Failure to make payment of the forfeiture and administrative fees as assessed, or to contest the citation within thirty-one (31) days of issuance of the citation, shall result in suspension of the vehicle registration and assessment of the state administration fee, as provided for in Section 345.28(4), Wis. Stats.

(7) NOTICE OF PARKING VIOLATIONS. The Chief of Police shall authorize the printing of a notice of parking violation for use in enforcing the nonmoving traffic offenses in this Code. Such notice 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 references in this Code. The notice of parking violations for nonmoving traffic violations shall contain a notice that the person cited may discharge the forfeiture for violations of a nonmoving traffic regulation and penalty thereof by complying with this Code. Notice of parking violations for nonmoving traffic offenses may be issued by law enforcement officers.

(8) REMOVAL OF ILLEGALLY PARKED VEHICLES. Whenever any police officer finds a vehicle in or upon a street illegally parked in any place where such parked vehicle creates or constitutes a traffic hazard or obstructions, blocks the use of a fire hydrant, loading zone, or may obstruct the movement of any emergency vehicle, said officer is hereby authorized to remove or have removed and towed away by commercial towing service such illegally parked vehicle. Any reasonable expenses incurred in the removal or in the keeping of such vehicle shall be paid by the operator or owner before such vehicle is released.

(9) MINIMUM FEE SCHEDULE. Until revised by the Village Board the minimum fee schedule for violations of this section shall be as follows:

WINTER PARKING VIOLATION (If paid within 5 days of issuance, the fee is \$20.00)	FEE	\$40.00
FIRE LANE VIOLATION (If paid within 5 days of issuance, the fee is \$25.00)	FEE	\$50.00
HANDICAP ZONE VIOLATION	FEE	\$50.00
PROHIBITED PARKING VIOLATION	FEE	\$40.00

(If paid within 5 days of issuance,
the fee is \$20.00)

(10) VEHICLES PARKED ON STREETS FOR EXTENDED PERIODS OF TIME. No owner or operator of any vehicle, including trailers or campers of any kind, shall park such a vehicle or permit the vehicle to be parked on any street or alley for longer than forty-eight (48) continuous hours.

(11) VEHICLES FOR SALE. No person may park a vehicle advertised as being for sale on any village street, alley, or parking lot at any time.

(12) PENALTIES. Any person who violates this section shall forfeit not more than \$200.00 for the first offense and not more than \$500.00 for the second offense within two years. The penalty for each offense shall be taken together with costs of prosecution and the individual may be ordered to pay restitution and complete community service.