

CODE OF ORDINANCES
Town of Willard, Rusk County, Wisconsin

CHAPTER 9
TRAFFIC ORDINANCE

9.01 AUTHORITY, STATEMENT OF PURPOSE

- (1) TITLE AND PURPOSE.** This ordinance is entitled the Town of Willard Traffic Ordinance. The purpose of this ordinance is to adopt traffic regulations for the Town of Willard.
- (2) AUTHORITY.** The Town Board has the specific authority under Wisconsin Statutes, and the Town's Village Powers, to adopt and enforce this ordinance. The Town Board has confirmed the specific statutory authority, powers, and duties, to regulate, control, prevent, and enforce against, in the Town of Willard, certain uses, activities, businesses and operations by persons that may affect the traffic in the Town.
- (3) ADOPTION OF ORDINANCE.** The Town Board has, by adoption of this ordinance, establishes by these sections, and this ordinance, the regulations, controls, and enforcement against, certain uses, activities, businesses, and operations, by persons that may affect the traffic in the Town of Willard.
- (4) SEVERABILITY.** The provisions of this Code shall be deemed severable, and it is expressly declared that the Town Board would have passed the other provisions of this Code irrespective of whether one or more provisions may be declared invalid, and if any provision of this Code or the application thereof to any person or circumstances is held invalid, the remainder of the Code and the application of such provisions to other persons or circumstances shall not be affected thereby.
- (5) EFFECTIVE DATE.** This Code shall take effect and be in force upon passage and publication as provided by law.

9.02 DEFINITIONS.

Prohibited Device means any Uniform Traffic Control Device, or Unofficial Device, that is not specifically authorized by any Town, or State official, or their respective designee, to erect, or maintain such device.

Uniform Traffic Control Device means any sign, signal, marker, mark, monument, or other devices which conforms to State and Federal standards for the signing of all types of highways, and private roads open to public travel.

Unofficial Device means any sign, signal, marker, mark, monument, or other devices that are not a uniform traffic control device.

Vehicle has the meaning defined by Wisconsin Statutes, the Wisconsin Department of Transportation, and the Wisconsin Administrative Code.

9.03 STATE TRAFFIC LAWS ADOPTED

Except as otherwise specifically provided in this Code, the statutory provisions in Chapters 340 to 348, Wisconsin Statutes, describing and defining regulations with respect to vehicles and traffic, exclusive of any regulations for which the statutory penalty is a fine, or term of imprisonment, but including any penalties to be imposed, and procedure for prosecution are hereby adopted and by reference made a part of this Code 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 Chapters 340 to 348, Wisconsin Statutes incorporated herein are intended to be made part of this Code in order to secure to the extent legally practicable uniform statewide regulation of vehicle traffic on the highways, streets, and alleys of the State of Wisconsin.

9.04 STATE ADMINISTRATIVE CODE PROVISIONS ADOPTED

The following administrative rules and regulations adopted by the Secretary of the Wisconsin Department of Transportation and published in the Wisconsin Administrative Code, exclusive of any provisions therein relating to the penalties to be imposed, are hereby adopted by reference, and made part of this Code as if fully set forth herein.

- (1)** Wisconsin Administrative Code - Trans 146: Vehicle Registration and Fuel Trip Permits (Penalties of Wisconsin Statutes. apply)
- (2)** Wisconsin Administrative Code - Trans 302: Vehicle Marking
- (3)** Wisconsin Administrative Code - Trans 305: Standards for Vehicle Equipment
- (4)** Wisconsin Administrative Code - Trans 326: Motor Carrier Safety Requirements for Transportation of Hazardous Materials.
- (5)** Wisconsin Administrative Code - Trans 328: Motor Carrier Safety Requirements for Transportation of Intrastate Hazardous Materials.
- (6)** Wisconsin Administrative Code - Trans 300: Transportation of School Children
- (7)** Wisconsin Administrative Code - Trans 304: Slow Moving Vehicle Emblem

9.05 REFERENCES TO WISCONSIN STATUTES

- (1) STATUTES SPECIFICALLY INCORPORATED BY REFERENCE.** Whenever this Code incorporates by reference specific sections of the Wisconsin Statutes, such references shall mean the Current Wisconsin Statutes.
- (2) GENERAL REFERENCES.** General references in this Code to Wisconsin statutory 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 authorities.

9.06 TRAFFIC CONTROL DEVICES

(1) DUTY TO ERECT AND INSTALL.

- (a) Whenever traffic regulations created by this Code, including State of Wisconsin traffic regulations, require the erection of traffic control devices for enforcement. The Town Board, or their designee, 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 regulation to the users of the streets, roads, and highways on which such regulations apply.
- (b) 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 a 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, roads, and highways of the Town of Willard.
- (c) The Town Board may delegate Town crew members to assist them in carrying out the duties imposed upon him by this Section.

(2) 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 or her designee, shall place within the limits of any street or highway maintained by the Town of Willard 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.

(3) REMOVAL OF UNOFFICIAL SIGNS, MARKERS, SIGNALS, AND TRAFFIC CONTROL DEVICES. The Town Board or its designee 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 premises for removal of a prohibited, illegal sign, signal, marking, or device, shall be reported 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 15th shall be placed upon the tax roll for collection as other special municipal taxes.

9.07 PARKING. No person shall at any time park, or leave standing, any vehicle upon any road in the Town of Willard, unless the person is authorized to do so by the Town of Willard, this Code of Ordinances, or Wisconsin Statutes.

9.08 SPEED LIMITS

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

- (1) Reduction to 45 mph.** The Town Board determines that in the following areas conditions exist to require a reduction to 45 mph speed zones: Broken Arrow Road.
- (2) Reduction to 35 mph.** The Town Board determines that in the following areas conditions exist to require a reduction to 35 mph speed zones: Oak Ridge Road.

9.09 THROUGH HIGHWAYS AND CONTROLLED INTERSECTIONS

- (1) 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: see Appendix S.
- (2) Controlled Intersections Designated.** In the interest of public safety, the following intersections are declared controlled intersections and traffic control signals shall be installed thereon in conformity with the Wisconsin Official Traffic Control Device Manual and the provisions of this Code: See Appendix S.
- (3) Designation of Location of Stop Signs.** In the interests of public safety, stop signs shall be installed at the locations set forth on Appendix S to control traffic on the highways over which the Town of Willard has exclusive jurisdiction. The location of signs may be changed, or altered, by Resolution from time to time.
- (4) Yield Signs to be Erected.** The Town Board, or its designee, is authorized to erect yield right-of-way signs conforming to the Wisconsin Official Traffic Control Device Manual at the locations listed in Appendix S.
- (5) 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 his Code shall obey the direction of such Official Traffic Control Device as required by the Wisconsin Statutes.

9.10 ONE-WAY HIGHWAYS, SAFETY ZONES, SAFETY ISLANDS, TURNS AND LANES

- (1)** One-way highways, safety zones, safety islands, turns, and lanes are set forth in Appendix S.
- (2)** The Town Constable, or person designated by the Town Board, is authorized to place an Official Traffic Control Device when, in the judgment of that person, the situation requires placement to control flow, detour, or stop traffic for public safety.

9.11 NO PASSING ZONES

- (1) Designated No passing zones** shall be marked with unbroken yellow lines and/or signs indicating the beginning and end of such zones on the following highways within the jurisdiction of the Town of Willard in accordance with standards and procedures adopted by the Wisconsin Department of Transportation:
 - (a)** State Trunk Highways and County Highways
 - I.* All locations established and marked by the Wisconsin Department of Transportation.
 - (b)** Highways within the Jurisdiction of the Town of Willard

(2) Passing Prohibited. When no passing zone markers or signs giving notice thereof are erected or placed on the pavement as provided in this Section, including applicable State and County designated areas, no person shall operate a vehicle to overtake or pass another vehicle or drive to the left of the center of the roadway in designated no-passing zones.

9.12 WEIGHT LIMITS AND HEAVY TRAFFIC ROUTES

- (1) STREETS DESIGNATED CLASS "B" HIGHWAYS.** Highways within the Town of Willard, Wisconsin, designated Class "B" highways subject to the weight limitations imposed on Class "B" highways by the Wisconsin Statutes adopted by reference in this Code are as set forth in Appendix S.
- (2) SPECIAL AND SEASONAL 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 in accordance with the provisions of this Code and as authorized by Section 349.16, Wisconsin Statutes. Current resolution on policies for seasonal weight limits are set forth in Appendix J.
- (3) EXEMPTIONS.** The Town Chairperson is hereby empowered to exercise the discretion authorized by Wisconsin Statutes to exempt vehicles carrying certain commodities, such as construction materials and fuel, from the limitation imposed above, or to set different weight limitations than those imposed above for vehicles carrying such commodities if, in the judgment of the Chairperson, the exemption or limitation is reasonable and necessary to promote public health, safety and welfare.

9.13 OTHER RESTRICTIONS

- (1) MAINTENANCE.** Whenever it is necessary to clear, or repair a Town road, or any part thereof, the Town shall post such road, or parts thereof, with signs indicating 'No Parking Road Maintenance Work'. Such signs shall be erected at least two (2) hours before the time that road maintenance work is to be commenced. No person shall park a motor vehicle in violation of such signs.
- (2) NIGHT PARKING RESTRICTIONS.** When signs have been erected as provided in Wisconsin Statutes, at or reasonably near the limits of the unincorporated Town of Willard, no person shall park any vehicle on any Town street or road between 2:00 a.m. and 6:00 a.m., from November 1 through April 30.
- (3) 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.
- (4) SCHOOL BUS WARNING LIGHTS.** Notwithstanding the provisions of Section 346.48 (2) (b) 2 of Wisconsin Statutes to the contrary, school bus operators, at minimum, shall use flashing red warning lights in residential and business districts when pupils or other authorized passengers are to be loaded, or unloaded, at locations at which there are no crosswalks or traffic signals so that pupils must cross the street, road, or highway before being loaded, or after being unloaded.

9.14 ENFORCEMENT. The Town of Willard establishes, by this ordinance that the enforcement of traffic ordinances in the Town of Willard will be in accordance with Wisconsin Statutes. Citation to be used is outlined in Chapter 1 Construction of this Code of Ordinances.

9.15 PENALTIES

- (1) FORFEITURE PENALTY.** The penalty for violation of any provision of this Code shall be a forfeiture as hereinafter provided, together with court costs and fees prescribed by Sections 814.63(1) (if in a Municipal Court), Wisconsin Statutes.
- (2) PENALTY WHERE NO FORFEITURE IS ESTABLISHED.** Any person who shall violate any provision of this Traffic Code for which a penalty is not established by other subdivisions of this section or other provisions, shall be subject to a forfeiture of not less than twenty dollars (\$20.00) nor more than one hundred dollars (\$100.00).

Ordinance Chapter 9

Adopted this 9th day of May, 2022

Robert Nelson Yea X Nay _____
Mark Taft Yea X Nay _____
Linda Bentley Yea X Nay _____

Attest: Mary Jane Nelson, Town Clerk