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CHAPTER I
TRAFFIC CODE

1.01	STATE TRAFFIC LAWS ADOPTED	1
1.02	OTHER LAWS ADOPTED	4
1.03	SPECIFIC SPEED LIMITS	5
1.04	PARKING PROHIBITED IN CERTAIN SPECIFIED PLACES	8
1.05	TRAFFIC OFFICER MAY MOVE IMPROPERLY PARKED VEHICLE	10
1.06	PROHIBITED PRACTICE, UNLICENSED VEHICLE	10
1.07	TEMPORARY PARKING RESTRICTIONS	10
1.08	ENFORCEMENT	10
1.09	REFERENCE TO STATUTES	11
1.10	CONFORMITY	11
1.11	SEVERABILITY	11
1.12	EFFECTIVE DATE	12

CHAPTER I

TRAFFIC CODE

1.01 STATE TRAFFIC LAWS ADOPTED. Except as hereinafter provided, all provisions of Chapters 340 to 349, Wisconsin Statutes, 1981-1982, including all changes and amendments now or hereafter made thereto are hereby adopted and incorporated herein by reference as if fully set forth herein. It is the intent of this section to adopt and be in strict conformity therewith all of the provisions of the Wisconsin Uniform Motor Vehicle and Traffic Code, Chapters 340 to 349, Wisconsin Statutes, 1981-1982, including all changes and amendments now or hereinafter made thereto. It is the further intention of this section to adopt by reference all provisions of chapters 340 to 349, Wisconsin Statutes, 1981-1982, including all changes and amendments now or hereafter made thereto for which a mandatory jail sentence is not imposed as a penalty and to exclude herefrom only those provisions or penalties of Chapters 340 to 349, Wisconsin Statutes, including changes or amendments now or hereafter made thereto, which impose a mandatory jail sentence upon conviction. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this ordinance.

All sections of Chapters 340 to 349 are adopted herein by reference including without limitation by reason of listing the following:

- 340.01 (Words and phrases defined)
- 340.01(15s) (Definition - energy emergency)
- 341.11(4) (Display of registration certificate)
- 341.15 (Display of registration plates)
- 341.16(4) (Issuance of duplicate plates)
- 341.42(4) (Reciprocity permits)
- 341.55 (Penalty for misuse of plates)
- 341.57(3) (Registration of finance companies and banks)
- 341.63 (When registration is to be suspended)
- 342.05(4) (Certificate of title required)
- 342.15(5), (6) and(7) (Transfer of interest in vehicle)
- 342.23 (Secured party's and owner's duties)
- 342.30, 342.31, 342.34 (ANTI-THEFT AND ANTI-FRAUD PROVISIONS)
- 342.40 (Vehicle abandonment)
- 343.01 (Words and phrases defined)
- 343.05 (Operators to be licensed - first offense)

343.10 (Occupational licenses)
 343.125 (Chauffeurs to obtain special licenses)
 343.22 (Notice of change of address or name)
 343.305 (Implied consent)
 343.35 (Surrender of license upon cancellation,
 revocation or suspension)
 343.43 to 343.46 (UNLAWFUL PRACTICES RELATIVE TO LICENSES)
 343.60 to 343.72 (LICENSING OF DRIVER SCHOOLS AND INSTRUCTORS)
 343.73 (Penalty)
 344.01 (Words and phrases defined)
 344.45 to 344.47 (PENALTIES FOR VIOLATION OF CHAPTER)
 344.51 (Financial responsibility for domestic rented vehicles)
 345.01 (Words and phrases defined)
 345.20 to 345.53 (GENERAL PROVISIONS IN TRAFFIC FORFEITURE ACTIONS)
 345.55 (Traffic officer not to profit from arrests)
 346.01 (Words and phrases defined)
 346.02 (Applicability of chapter)
 346.03 (Applicability of rules of the road to authorized emergency
 Vehicles)
 346.04(1) and (2), 346.05 to 346.16 (DRIVING, MEETING, OVERTAKING
 AND PASSING)
 346.17 (Penalty for violating ss. 346.04 to 346.16)
 346.18 to 346.21 (RIGHT OF WAY)
 346.22 (Penalty for violating ss. 346.18 to 346.21)
 346.23 to 346.29 (DRIVERS AND PEDESTRIANS)
 346.30 (Penalty for violating ss. 346.23 to 346.29)
 346.31 to 346.35 (TURNING AND STOPPING AND REQUIRED SIGNALS)
 346.36 (Penalty for violating ss. 346.31 to 346.35)
 346.37 to 346.42 (TRAFFIC SIGNS, SIGNALS AND MARKINGS)
 346.43 (Penalty for violating ss. 346.37 to 346.42)
 346.44 to 346.485 (REQUIRED STOPS)

346.49 (Penalty for violating ss. 346.48 to 346.485)

346.50 to 346.55 (RESTRICTIONS ON STOPPING AND PARKING)

346.56 (Penalty for violating ss. 346.50 to 346.55)

346.57 (SPEED RESTRICTIONS)

346.58 (Special speed restrictions)

346.59 (Minimum speed regulation)

346.60 (Penalty for violating ss. 346.57 to 346.595)

346.61 (Applicability of sections relating to reckless and drunken driving)

346.62 (1) and (3) (Reckless driving)

346.63 (1), (3) and (4) (Operating under "influence" of intoxicant) -- first offense in 5 years

346.64 (Employment of drunk operators)

346.65 (Penalty for violating ss. 346.62 to 346.64)

346.66 (applicability of sections relating to accident and accident reporting)

346.68 and 346.69 (Duty upon striking unattended vehicle -- upon striking property on or adjacent to highway)

346.70 (1), (2) or (3)

346.71, 346.72, 346.73 (Duty to report accident, etc.)

346.70(4) (Police and traffic agencies to report)

346.70(5) (Falsifying reports)

346.77 to 346.81 (BICYCLES AND PLAY VEHICLES)

346.82 (Penalty for violating ss. 346.77 to 346.81)

346.87 to 346.94 (MISCELLANEOUS RULES)

346.95 (Penalty for violating ss. 346.87 to 346.94)

347.01 to 347.05 (GENERAL PROVISIONS)

347.06 to 347.29 (LIGHTING EQUIPMENT)

347.30 (Penalty for violating lighting equipment requirements)

347.35 to 347.49 (OTHER EQUIPMENT)

347.50 (Penalty for violating ss. 347.35 to 347.49)

- 348.01 to 348.02 (SIZE, WEIGHT, LOAD -- General provisions)
- 348.05 to 348.10 (SIZE AND LOAD)
- 348.11 (Penalty for violating size and load limitations)
- 348.15 to 348.20 (WEIGHT)
- 348.21 (Penalty for violating weight limitations)
- 348.25 to 348.27 (PERMITS)
- 348.28 (Permits to be carried -- PENALTY)
- 349.11(8) (Limitation on local powers)
- 349.11(15) (Expiration special statute)

1.02 OTHER LAWS ADOPTED. There are hereby adopted by reference the following chapters and/or sections of the Wisconsin Statutes and Wisconsin Administrative Code, including all changes, amendments and revisions now or hereafter made thereto, but the prosecution of such offenses under this ordinance shall be as provided in Chapters 340 to 350, Wisconsin Statutes, 1981-1982, and the penalty for violation thereof shall be limited to a forfeiture as provided in section 1.08 (3) (a) of this chapter:

- (1) 941.01 (1) (Negligent operation of vehicle off highway)
- (2) Chapter 350, Wisconsin Statutes, Relating to Snowmobiles and Their Operation.

In addition to Chapter 350, Wisconsin Statutes, no person shall operate a snowmobile upon any street, highway or alley within the county in violation of sections: 346.04, 346.05, 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, 346.48, 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), (6), (6m) and (9), Wisconsin Statutes.

- (3) Chapter 194, Wisconsin Statutes, Relating to Motor Vehicle Transportation.
- (4) Chapter MVD5, Standards For Motor Vehicle Equipment, Wisconsin Administrative Code.

1.03 SPECIFIC SPEED LIMITS. In addition to all other limits incorporated by reference, no person shall drive in excess of the following limits unless different limits are indicated by official traffic signs.

- (1) 45 miles per hour on County Trunk "D" (Afton Road), Town of Rock, Rock County, from a point 2.38 miles north of its intersection with South River Road southerly to a point 0.30 of a mile south of the same intersection; then 25 miles per hour southerly to its intersection with Plymouth Church Road; then 50 miles per hour southerly to a point of 0.50 of a mile south of its intersection with Noss Road, all in the Town of Rock.
- (2) 30 miles per hour on County Trunk "A", Town of Johnstown Center, Rock County, from a point 0.35 of a mile west of its intersection with County Trunk "M", in the Town of Johnstown Center, easterly for a distance of 0.55 of a mile.
- (3) 30 miles per hour on County Trunk "M", Town of Johnstown Center, Rock County, from a point 0.20 of a mile south of its intersection with County Trunk "A" in the Town of Johnstown Center, northerly for a distance of 0.50 of a mile.
- (4) 30 miles per hour on County Trunk "G" from its intersection with Shopiere Road in the City of Beloit, northerly to its intersection with Cranston Road in said city.
- (5) 35 miles per hour on County Trunk "G" from its intersection with Cranston Road in the City of Beloit, northerly to its intersection with Inman Parkway.
- (6) 40 miles per hour on County Trunk "G" from its intersection with Inman Parkway, northerly to its intersection with Philhower Road.
- (7) 35 miles per hour on County Trunk "S" from its intersection with Creek Road, northeasterly for a distance of 0.93 miles.

(7a) 45 miles per hour on County Trunk "S" from a point 0.93 miles northeasterly of its intersection with Creek Road, to a point 1000 feet southwesterly of its intersection with CTH "J" in Shopiere.
- (8) 25 miles per hour on County Trunk "S" from its intersection with CTH "J" in Shopiere southwesterly 1000 feet.
- (9) 35 miles per hour on County Trunk "O" commencing at the east corporate limits of the City of Janesville, east to a point 2,500 feet east of the city limits.
- (10) 40 miles per hour on County Trunk Highway "O" commencing at a point 2,500 feet east of the corporate limits of the City of Janesville, east to a point 3,700 feet east of the city limits.
- (11) 45 miles per hour on County Trunk Highway "Y" commencing at its southerly junction with State Trunk Highway 26 northerly to a point 0.1 miles north of McCormick Drive, being a total distance of 0.7 miles.
- (12) 40 miles per hour on County Trunk "K" from a point 0.3 of a mile south of Brandherm Road northerly to a point 0.2 of a mile north of Brandherm Road.

- (13) 40 miles per hour on County Trunk "H" from a point 0.2 of a mile south of Laird Road northerly to a point 0.2 of a mile north of Laird Road.
- (14) 25 miles per hour on County Trunk "H" from a point 0.1 of a mile south of Orfordville-Hanover Road northerly through Hanover to a point 0.3 of a mile north of Race Street in Hanover.
- (15) 45 miles per hour on County Trunk "H" from a point 0.3 of a mile north of Race Street in Hanover northerly to a point 0.2 of a mile north of Ellis Road.
- (16) 35 miles per hour on County Trunk "M" from a point 0.6 of a mile west of U.S.H. 51 westerly to a point 1.0 mile west of U.S.H. 51.
- (17) 35 miles per hour on County Trunk "M" from a point 0.6 of a mile west of U.S.H. 51 westerly to a point 1.0 mile west of U.S.H. 51.
- (18) 25 miles per hour on County Trunk "M" from a point 1.0 mile west of U.S.H. 51 westerly to a point 0.1 of a mile west of Third Street in Indianford.
- (19) 25 miles per hour on County Trunk "T" from its junction with S.T.H. "11" southerly to its intersection with 10th Street in the City of Brodhead, a total distance of .7 miles.
- 35 miles per hour on C.T.H. "T" from its intersection with 10th Street, in the City of Brodhead, southerly to a point 200 feet south of 23rd Street in the City of Brodhead, a total distance of 0.8 miles.
- (20) 25 miles per hour on County Trunk "J" from its intersection with Creek Road southerly and easterly to a point 0.3 of a mile east of Petter Street in Shopiere.
- (21) 45 miles per hour on County Trunk "J" from a point 0.3 of a mile east of Petter Street in Shopiere easterly to a point 0.2 of a mile east of the railroad overpass.
- (22) 30 miles per hour on County Trunk "J" from a point 0.1 of a mile west of the railroad tracks on the west side of the Village of Clinton easterly to the railroad tracks, a total distance of 0.1 miles.
- (23) 25 miles per hour on County Trunk "F" from a point 0.3 of a mile south of County Trunk "M" northerly to County Trunk "M" as measured in the northbound lane.
- (24) 25 miles per hour on County Trunk "F" from County Trunk "M" northerly to a point 0.3 of a mile north of County Trunk "M" as measured in the northbound lane.
- (25) 25 miles per hour on County Trunk "F" from a point 0.4 of a mile north of County Trunk "M" as measured in the southbound lane.
- (26) 25 miles per hour on County Trunk "F" from County Trunk "M" southerly to a point 0.33 of a mile south of County Trunk "M" as measured in the southbound lane.

- (27) 45 miles per hour on County Trunk "E" from a point 0.9 of a mile south of U.S.H. 14, southerly to a point 2.2 miles south of U.S.H. 14, a total distance of 1.3 miles.
- (28) 25 miles per hour on County Trunk "O" from it intersection with Dawson Avenue in the Town of Beloit, northwesterly to its intersection with Cherry Street in the Town of Beloit.
- (29) 45 miles per hour on County Trunk "D" from its intersection with Cherry Street in the Town of Beloit, northwesterly to its intersection with Newark Road in the Town of Beloit.
- (30) 35 miles per hour on County Trunk "F" from its south junction with U.S.H. 51 in the City of Janesville, northerly 0.75 of a mile.
- (31) 45 miles per hour on County Trunk "F" from a point 0.75 of a mile north of its south junction with U.S.H. 51 northerly 0.85 of a mile.
- (32) 35 miles per hour on County Trunk "F" from a point 1.6 miles north of its south junction with U.S.H. 51 northerly to its north junction with U.S.H. 51.
- (33) 45 miles per hour on County Trunk "H" from its intersection with S.T.H. 81, northerly to its intersection with Newark Road.
- (34) 45 miles per hour on County Trunk "Q" from its intersection with U.S.H. 51, westerly to its intersection with County Trunk D.
- (35) 10 miles per hour at any point on the grounds of the Rock County Health Care Center.
- (36) 45 miles per hour on County Trunk "M", Town of Fulton, Rock County, from its intersection with Staff Road, west to S.T.H. 184 for a distance of 0.3 miles as measured in the westerly lane.
- (37) 45 miles per hour on County Trunk "A", Town of Janesville, Rock County, from the Janesville city limits, westerly for a distance of 1500 feet.
- (38) 35 miles per hour on C.T.H. "M", Town of Milton, Rock County, from its intersection with Forrest Lake Drive, easterly for a distance of 1200 feet. (Amended 2/8/96)
- (39) 35 miles per hour on County Trunk "G" from USH 351 (Avalon Road) northerly to Janesville City Limits.
- (40) 45 miles per hour on County Trunk "Y" from its intersection with Vincent Street northerly to the Milton City Limits.
- (41) 35 miles per hour on CTH M from USH 14 north to Northridge Drive, a distance of approximately 0.65 miles.
- (42) Any person violating any subsection of county ordinance 1.03 may be required to forfeit not less than \$20.00 nor more than \$200.00.

1.04 PARKING PROHIBITED IN CERTAIN SPECIFIED PLACES. In addition to all other parking restrictions incorporated by reference, the following specific parking ordinance shall apply.

(1) REGULATIONS AS TO PARKING AT COUNTY BUILDING IN БЕЛОIT.

- (a) No person shall park any vehicle in any of the designated and posted parking stalls on the Rock County Building parking lot in the City of Beloit, Wisconsin, unless such person is so authorized and said vehicle properly displays evidence of such permission in form of a sticker appearing in the left rear portion of said vehicle.
- (b) No person shall park his vehicle for more than two continuous hours within the parking lot herein regulated except those complying with section (a) above.
- (c) The provisions of this ordinance may be enforced by the Rock County Sheriff's Department and/or the Beloit Police Department.

(2) JANESVILLE ORDINANCE -- Parking in Court House Lots.

- (a) Parking on the east and west side of the Court House in Janesville is covered by a Janesville parking ordinance, section 10.44.020, and policed by the Janesville Police Department, pursuant to agreement between the County and the City of Janesville.

It would be confusing to have a county ordinance covering the same ground. The regulations of the Janesville ordinance are set forth at this point for easy reference only to the regulations.

Janesville Ordinance:

10.44.020 Courthouse parking lots--Additional restrictions.
In the upper and lower courthouse parking lots, the following restrictions shall apply in addition to all others provided by this title:

(A) No person shall stop, park or leave standing any vehicle in any space specifically designated for a particular person, official or type of vehicle, unless such person is that particular person or official or is driving that type of vehicle.

(B) The limitations regarding parking in the courthouse parking lots shall apply only from seven-thirty a.m. until five-thirty p.m. on Monday through Friday. Such limitations shall not be applicable on Saturdays, Sundays or holidays on which the courthouse is not open for the transaction of official business.

(C) The courthouse parking lots shall be closed for all purposes between ten p.m. and six a.m., except by specific permission of the police department. (Ord. 83-335 §1(part), 1983).

(3) PLYMOUTH TOWNSHIP PARKING.

(a) No person shall park any vehicle on either the east or west sides of County Trunk highway "H" from Front Street to South Street, a distance of 1,350 feet, in Plymouth Township.

(4) Any person violating county ordinances 1.04 (1) or (2) may be required to forfeit not less than \$3.00 nor more than \$50.00.

(5) Any person violating those county ordinances incorporating and set out fully in Wisconsin Statutes 346.50 to 346.55 shall be subject to the forfeiture as provided in s. 346.56, Stats.

1.05 TRAFFIC OFFICER MAY MOVE IMPROPERLY PARKED VEHICLE.

(1) Whenever any traffic officer finds a vehicle parked in violation of a prohibition, limitation or restriction on stopping, standing or parking, he is authorized to move such vehicle, or to require the operator in charge thereof to move such vehicle or to arrange to have such vehicle moved to a position where parking is not prohibited. In the event an officer arranges to have a vehicle moved pursuant to this ordinance, the charge, if any therefore, shall be charged to either the owner or operator of said vehicle.

(2) In case of abandonment under section 342.40 (over 48 hours) the Sheriff may dispose of the vehicle pursuant to that section to meet impounded costs.

1.06 PROHIBITED PRACTICE, UNLICENSED VEHICLE.

(1) No person shall ride or operate go-carts, snowmobiles, or any other unlicensed motorized vehicle upon the sidewalks or highways, except for purposes of removing snow on sidewalks.

(2) Any person violating this ordinance may be required to forfeit not less than \$4.00 nor more than \$50.00.

1.07 TEMPORARY PARKING RESTRICTIONS.

(1) The Rock County Sheriff or his delegated agent is hereby empowered to make temporary parking regulations to provide for abnormal conditions. Such regulations shall be effective for not to exceed 30 days at a time. A list of such regulations shall be placed on file at the Rock County Sheriff's Department and be open for public inspection. To be effective, such temporary regulations must be posted in the areas affected.

(2) Any person violating such temporary regulations may be required to forfeit not less than \$3.00 nor more than \$50.00.

1.08 ENFORCEMENT.

(1) This Ordinance shall be enforced in accordance with the provisions of ss. 345.20 to 345.61, Wisconsin Statutes, 1981-1982, and s. 66.12, Wisconsin Statutes, 1981-1982, including all changes and amendments now or hereafter made thereto.

- (2) The Rock County Sheriff's Department may enforce all county parking violations by use of a simplified notice of parking violation. The form of such notice shall be approved by the District Attorney. The Rock County Sheriff is authorized to accept the minimum forfeiture of \$3.00 and no costs within ten (10) days of issuance, so long as no arrest has been made or summons issued.
- (3) Penalty.
 - (a) The penalty for violations of any provision of this ordinance shall be forfeiture as herein provided, or shall conform to forfeitures for violation of the comparable state statutes if none is provided herein, or if not provided elsewhere, a general forfeiture of not to exceed \$50.00, together with the cost of prosecution imposed as provided in ss. 345.20 to 345.53, Wisconsin Statutes, 1981-1982.
 - (b) Authority to Stay Execution. The judgment or imposition of any fine or forfeiture, costs or alternative penalty may be suspended or deferred for not more than 60 days in the discretion of the court.
 - (c) Sentence in the Alternative. If the judgment is not paid, the court may order that the defendant be incarcerated in the county jail for a time specified by the court until the judgment is paid, but not to exceed 30 days.
 - (d) Ordinance Penalty to Control. Any forfeiture or penalty specified within this Code of General Ordinances shall supercede and prevail over any fine, forfeiture or penalty imposed by the Laws of the State of Wisconsin, if in conflict therewith.

1.09 REFERENCE TO STATUTES. References to specific statutory sections whenever used in this ordinance shall mean the Wisconsin Statutes of 1981-1982, including all changes and amendments now or hereafter made thereto.

1.10 CONFORMITY. The county board in adopting this traffic and parking code has the intention of drafting its provisions to be in strict conformity with the state statutes. It is the intention of the county board that courts will construe this code to be in strict conformity unless the language compels a different construction.

1.11 SEVERABILITY. It is the intention of the county board that each section, paragraph, sentence, clause and provision of this code is severable and if any provisions shall be held unconstitutional or invalid for any reason, such decision shall not affect the remainder of the code nor any part thereof other than that affected by such decision.

1.12 EFFECTIVE DATE. This ordinance shall take effect the day after its publication.

Adopted and approved this 15 day of November, 1984.

Published December 7, 1984.

Section 1.03(9) Amended 09/28/89
Section 1.03 Amended 06/93
Section 1.03(38) Amended 02/08/96
Section 1.03(1) and 1.03(7) Amended 04/12/01
Section 1.03(7a) Created 04/12/01, Resolution No. 01-3B-194
Section 1.04(2)(a) - Administrative changes only-Not by Resolution July 2002
Section 1.03(19) Amended 08/28/03, Resolution No. 03-8A-052
Section 1.03(41 & 42) Created and amended 02/09/06, Resolution No. 06-1B-410