

CHAPTER 7

TRAFFIC CODE

LANGLADE COUNTY TRAFFIC ORDINANCE

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7.01 STATE TRAFFIC LAWS ADOPTED. Except as otherwise specifically provided in this chapter, the statutory provisions in Chs. 340 to 348 and 350, Snowmobiles, Wis. Stats., describing and defining regulations with respect to vehicles and traffic, inclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are hereby adopted and by reference made a 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. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this chapter in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the State.

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7.02 OFFICIAL TRAFFIC MAP AND CONTROL DEVICES; PROHIBITED SIGNS, SIGNALS AND MARKERS.

(1) DUTY OF COUNTY HIGHWAY DEPARTMENT TO ERECT AND INSTALL UNIFORM TRAFFIC CONTROL DEVICES. Whenever traffic regulations in this chapter, including State traffic regulations adopted by reference in 7.01, require the erection of traffic control devices for enforcement, the County Highway Department 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 County Highway Department will carry out the purposes of this chapter and give adequate warning to users of the streets and highways of the County.

(2) CODE NUMBERS TO BE AFFIXED TO OFFICIAL TRAFFIC CONTROL DEVICES. The County Highway Department shall cause to be placed on each official traffic control sign, guide board, mile post, signal or marker erected under sub. (1) a code number assigned by the Wisconsin Department of Transportation and shall also place or direct the placing of code numbers on all existing official traffic control devices as required by the laws of the State.

(3) OFFICIAL TRAFFIC MAP.

(a) Established. There is hereby established an official traffic map for the County upon which shall be indicated no parking areas, restricted parking areas, stop signs, arterial intersections, yield signs, special speed limits, one-way highways, school crossings and all other restrictions or limitations contained in this chapter as from time to time amended or modified by the County Board when the laws of the State require the 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 restriction, prohibition or limitation shown on the official traffic map shall be a violation of the provisions of this chapter.

(c) Map to be Maintained. A copy of the official traffic map shall be maintained and displayed in the office of the County Sheriff's Department and County Highway Department.

(d) Additions to Map. The County Board may from time to time make additions to or deletions from the official traffic map and the County Highway Commissioner shall keep such official traffic map current.

(4) PROHIBITED SIGNS AND MARKERS IN HIGHWAYS. No person other than an official authorized by this chapter to erect and maintain official traffic control devices or his designees shall place within the limits of any street or highway maintained by the County any sign, signal, marker, mark or monument, unless permission is first obtained from the County Highway Commission or State Highway Commission. Any sign, signal, marker, mark or monument placed or maintained in par. (3)(b) shall be subject to removal as provided in sub. (5).

(5) REMOVAL OF UNOFFICIAL SIGNS, MARKERS, SIGNALS AND TRAFFIC CONTROL DEVICES. The County Highway Commissioner may remove any sign, signal, marking or other device which is placed, maintained or displayed in violation of this chapter or State law. Any charge imposed against premises for removal of a prohibited or illegal sign, signal, marking or device shall be reported by the County Highway Commissioner to the County 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 County taxes.

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7.03 SPEED LIMITS. (Res. #113-95) The County Board hereby determines that the statutory speed limits on the following highways or portions thereof are unreasonable, unsafe or imprudent and modifies such speed limits as indicated. With the approval of the Wisconsin Department of Transportation, speed limits are decreased as indicated upon the following highways or portions thereof:

(1) 25 MPH.

CTH "F", Town of Antigo. From STH 52 to city limits.

CTH "K", Elcho. From U.S. 45 to Riordan St.

CTH "M", White Lake. From 900' south of Kriewaldt Rd. to the south side of Erdman Rd.

(2) 30 MPH.

CTH "A", Neva. 1,000' south of CTH "B" to 1,450' north to CTH "B".

(3) 35 MPH.

CTH "B", Kempster. From east CTH "J" south 1,200' and west CTH "J" north 1,250'.

CTH "B", Summit Lake. From 1,200' south of Summit Lake Rd. to 850' north of Summit Lake Rd.

CTH "C", Neva. From USH "45" to CTH "B".

CTH "E", Deerbrook. North of CTH "B" 1,000' to CTH "C".

CTH "F", Town of Antigo. From city limits easterly 2,365'.

CTH "K", Elcho. From Riordan St. to 450' east of Elk Rd.

CTH "K", Post Lake. From Turtle Lake Dr. to 1,350' west of Pratt Rd.

CTH "X", Towns of Antigo and Rolling. From Hwy 45 west to Dorr St.

CTH "Y". From U.S. 45 to Wausau Rd.

CTH "Y", Town of Antigo. From USH "45" easterly 5,950'.

(4) 45 MPH.

CTH "B", Summit Lake (Town of Upham). (Ord. #2-92) From USH 45 north 3,800' to a point 1,200 south of Summit Lake Drive.

CTH "B" Summit Lake (Towns of Upham and Elcho). (Ord. #2-92) From a point 850' north of Summit Lake Rd. north 1.32 miles to USH 45.

CTH "K", from Fish Lane to the existing 35 mph speed limit located 450' east of Elk Road. (Ord.#4-2008)

CTH "M", White Lake (Town of Wolf River). (Ord. #9-2000) From State Highway 64 to the Village of White Lake limits.

CTH "T", from STH "55" to the bridge over the Wolf River in Pearson.

CTH "TT", from CTH "T" to CTH "A".

7.04 THROUGH HIGHWAYS AND CONTROLLED INTERSECTIONS.

(1) HIGHWAY COMMITTEE TO DESIGNATE. The Highway Committee in the interest of public safety shall designate those highways within the County's jurisdiction which are through highways and shall provide for installation and maintenance of traffic control devices in accordance with the Wisconsin Official Traffic Control Device Manual.

(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 chapter: (Reserved)

(3) DESIGNATION OF LOCATION OF STOP SIGNS. The County Highway Committee in the interest of public safety is authorized to erect stop signs conforming to the Wisconsin Official Traffic Control Device Manual on highways over which the County has exclusive jurisdiction.

(4) YIELD SIGNS TO BE ERECTED. The Highway Commissioner is authorized to erect yield right-of-way signs conforming to the Wisconsin Official Traffic Control Device Manual at the following intersections on highways in the exclusive jurisdiction of the county, provided that if the intersected highway is part of a through highway designated under sub. (1), 346.18(3), Wis. Stats., applies: (Reserved)

(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 this section shall obey the direction of such official traffic control device as required by the Wisconsin Statutes incorporated by references in 7.01 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.

7.05 NO PASSING ZONES.

(1) HIGHWAY COMMITTEE TO DESIGNATE. The County Highway Committee is directed to designate and mark no passing zones on all County trunk highways in accordance with the Wisconsin Uniform Traffic Control Device Manual.

(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, no person shall operate a vehicle so as to overtake or pass another vehicle or drive to the left of the center of the roadway in designated no passing zones.

7.06 WEIGHT LIMITS AND HEAVY TRAFFIC ROUTES.

(1) CLASS "B" HIGHWAYS DESIGNATED. The County Highway Committee is authorized to designate any County highway or part thereof to be Class "B" highways for the purposes of putting into effect the weight limitations imposed on Class "B" highways by Wisconsin Statutes adopted by reference in 7.01 of this chapter.

(2) PERMITS. The County Highway Commissioner may issue permits for vehicles and loads of excessive size and weight under the terms, provisions and fees as authorized under 348.25 through 348.28, Wis. Stats.

7.07 PARKING REGULATIONS.

(1) PARKING PROHIBITED AT ALL TIMES. (Ord. #1-96) 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 highways or parts of highways:

CTH "A", Neva Corners. From CTH "B" south 50' on each side of road. (No parking here to corner.)

CTH "M", White Lake. Between Center St. and School St. on west side of road. (No parking.)

CTH "M", White Lake. From Jct. CTH "M" and School St. south 50' on east side of road. (No parking here to corner.)

Town of Elcho

No parking on the east side of Minola Street from Rummel Street to Owano Street.

No parking on either side of US Highway 45 from Enterprise Lake Road south to Cole Street, except where posted "two (2) hour parking permitted" (see paragraph 7.07(2) below).

No parking on the south side of Owano Street from US Highway 45 west to Minola Street.

No parking on either side of Dorr Street from CTH "K" south to Cole Street.

No parking within 15 feet of any fire hydrant.

(2) PARKING PROHIBITED DURING CERTAIN PERIODS. (Ord. #1-96) No person shall park or leave standing any vehicle upon any of the following highways at the time indicated, except temporarily for the purpose of and while actually engaged in receiving or discharging passengers:

Town of Elcho.

No parking on the west side of Minola Street from Rummel Street north to Owano Street during school hours.

Thirty (30) minute parking permitted on the north side of Owano Street from US Highway 45 west to Minola Street and also parking permitted for school personnel and for bus loading and unloading, where posted.

No parking on either side of Owano Street from Minola Street to Arcola Street during school hours.

Two (2) hour parking is permitted on the west side of US Highway 45 a distance of 196' from Rummel Street south to Cole Street, where posted.

Two (2) hour parking is permitted on the east side of US Highway 45 a distance of 176' from CTH "K" south to Cole Street, where posted.

Two (2) hour parking is permitted on the east side of US Highway 45 a distance of 109' from Owano Street south to CTH "K", where posted.

(3) MISCELLANEOUS PARKING RESTRICTIONS.

(a) Street maintenance. Whenever it is necessary to clear or repair a County roadway or any part thereof, the County Highway Department shall post such highways or parts thereof with signs bearing the words "No Parking - Street Maintenance Work." Such signs shall be erected at least 2 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.

(b) 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.

(c) Handicapped Parking. When official traffic signs indicating such restriction have been erected in accordance with 7.02 of this chapter, no person shall park, stop or leave standing any vehicle upon any portion of a street, highway or public or private parking facility reserved for vehicles displaying special registration plates or identification cards or emblems issued by the Wisconsin Department of Transportation or, for vehicles registered in another jurisdiction, by such other jurisdiction designating the vehicle as one used by a physically handicapped person.

(d) Posted Parking Restrictions in County Parking Lots.

(ORD #8-2000)

(1) No overnight parking: No person shall park a motor vehicle overnight in any County parking lot posted "No Overnight Parking."

(a) Exceptions: County owned vehicles.

(2) Posted Time Limits: No person shall exceed the posted time limit for parking a motor vehicle in a County parking lot.

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- (3) Posted Parking Restrictions: No person shall park a motor vehicle in a County parking lot in violation of the posted parking restrictions.
- (4) Penalties: Any vehicle in violation of this Section 7.07(3)(d) may be towed at the owner's expense pursuant to Section 7.07(5) of this Chapter, (ORD.9-98), in addition to the issuance of a parking citation set forth in Section 7.16 of this Chapter.

(4) UNLAWFUL REMOVAL OF PARKING CITATIONS. No person other than the owner or operator thereof shall remove a County parking violation ticket or notice from a motor vehicle.

(5) REMOVAL OF ILLEGALLY PARKED VEHICLES.

(a) Hazard to Public Safety. Any vehicle parked, stopped or standing upon a highway in violation of any of the provisions of this section or 7.01 of this chapter is declared to be a hazard to traffic and public safety.

(b) Removal by Operator. Such vehicle shall be removed by the operator in charge upon request of any traffic officer to a position where parking is permitted or to a private or public parking or storage premises.

(c) Removal by Traffic Officer. Any traffic officer after issuing a citation for illegal parking, stopping or standing of an unattended vehicle in violation of this chapter is authorized to remove such vehicle to a position where parking is permitted.

(d) Removal by Private Service. 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 public storage garage, rental parking grounds or any facility of the person providing the towing services.

(e) Towing and Storage Charges. In addition to other penalties provided by 7.15 of this chapter, the owner or operator of a vehicle so removed shall pay reasonable costs of moving, towing and storage. If the vehicle is moved or towed by the County Sheriff's Department, a charge of \$20 plus \$.21 per mile shall be paid for moving or towing. If the vehicle is towed or stored by a private motor carrier, motor vehicle salvage dealer or licensed motor vehicle dealer, actual charges regularly paid for such services shall be paid. If the vehicle is stored in a public storage garage or facility, customary charges for such storage shall be paid. Upon payment, a receipt shall be issued to the owner of the vehicle for the towing or storage charge.

(f) Refund of Towing or Storage Charges. Any person charged with a parking violation whose vehicle has been towed or stored in connection with such charge and who is subsequently adjudged not guilty of such violation shall be allowed a refund of any towing and storage charges paid upon filing with the County Clerk a certified copy of the judgment and a receipt showing payment of such charges.

(6) REGISTRATION RECORD OF VEHICLE AS EVIDENCE. When any vehicle is found upon a street or highway in violation of any provision of this chapter regulating the stopping, standing or parking 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 deemed to have committed the violation for purposes of enforcement of this section and 7.01 of this chapter and shall be subject to the applicable forfeiture penalty, provided the defenses defined and described in 346.485(5)(b), Wis. Stats., shall be a defense for an owner charged with such violation.

7.08 ABANDONED VEHICLES.

(1) ABANDONMENT OF VEHICLES PROHIBITED. No person shall abandon any vehicle unattended within the County for such time and under such circumstances as to cause the vehicle to reasonably appear to be abandoned.

(2) DEFINITION. As used in this section, "vehicle" means a motor vehicle, trailer, semi-trailer or mobile home as defined in 7.01 of this chapter, whether or not vehicle is registered under Ch. 341, Wis. Stats.

(3) PRESUMPTION OF ABANDONMENT. Any vehicle left unattended for more than 72 hours on any public street or grounds or on private property where parking is prohibited, limited or restricted without the permission of the owner or lessee is deemed abandoned and constitutes a public nuisance, provided that vehicle shall not be deemed abandoned under this section if left unattended on private property out of public view by permission of the owner or lessee.

(4) EXCEPTIONS. This section shall not apply to a vehicle in an enclosed building, a vehicle in an appropriate storage place or depository maintained in a lawful place and manner authorized by the County or a vehicle parked in a metered or paid lot or parking space where the required fee has been paid and meter activated.

(5) REMOVAL AND IMPOUNDMENT OR SALE. Any vehicle found abandoned in violation of this chapter shall be impounded by the Sheriff's Department until lawfully claimed or disposed of as provided in this section. If the Sheriff or his authorized representative determines that towing costs and storage charges for the 30 day impoundment period [see sub.(6) 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 Sheriff 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 sub. (8) of this section.

(6) MINIMUM IMPOUNDMENT PERIOD. The minimum period or storage of a vehicle found in violation of this section shall be 30 days.

(7) NOTICE TO OWNER. The County Sheriff's Department removing or causing the removal of any vehicle found in violation of this section shall immediately notify the Sheriff of the abandonment and location of the impounded vehicle and shall within 10 days thereafter notify the owner and lienholders of record by certified mail of the impoundment and 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 rights to reclaim the vehicle shall be deemed a waiver of all right, title and interest in the vehicle and a consent to a sale of the vehicle.

(8) 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.

(9) SALE TO BAR CLAIMS AGAINST VEHICLE. The sale of a motor vehicle under the provisions of this section shall forever bar all prior claims to and interest in such vehicle except as provided below.

(10) PURCHASER TO REMOVE VEHICLE. The purchaser of any vehicle on sealed bid or auction sale under sub. (8) shall have 10 days to remove the vehicle from the storage area upon payment of a storage fee of \$5 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.

(11) REQUEST FOR LIST. Any listing of vehicles to be sold under this section shall be made available by the County Sheriff to any interested person or organization who makes a written request at a reasonable fee.

(12) NOTICE TO DEPARTMENT. Within 5 days after sale or disposition of a vehicle under this section, the Sheriff shall advise the Wisconsin Department of Transportation of such sale or disposition on a form supplied by the Department.

(13) EXEMPTION.

(a) 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 County Sheriff's Department of the location of the vehicle and shall transfer and deliver clear title for such vehicle to the County, together with a fee to offset the cost of towing and junking charges, and shall be exempt from the provisions of this chapter,

(b) When so requested by the owner or person in charge of a vehicle, the Sheriff shall be authorized to order such vehicle removed and junked directly from the scene of disablement by the Highway Department or contractor engaged by the County for towing of disabled vehicles. The provisions of sub. (11) shall apply to any vehicle removed under this subsection.

7.09 ACCIDENT REPORTS.

(1) 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 State or other government owned property to an apparent total extent of \$200 or more or total damage to property owned by any one person to an apparent extent of \$500 or more shall within 10 days after such accident file with the County Sheriff's Department a copy of the report required by 346.70, Wis. Stats.

(2) 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.

7.10 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.

7.11 SNOWMOBILE TRAILS.

(1) DEFINITIONS. All-Terrain Vehicle. As defined in S.S.340.01(2g), Wis. Stats., means an engine driven device which has a net weight of 900 lbs. or less, which has a width of 48" or less, which is equipped with a seat designed to be straddled by the operator and which is designed to travel on 3 or more low-pressure tires. A low-pressure tire is a tire which has a minimum width of 6", which is designed to be mounted on a rim with a maximum diameter of 12" and which is designed to be inflated with an operating pressure not to exceed 6 lbs. per square inch as recommended by the manufacturer.

All-Terrain Vehicle Route. A highway or sidewalk designated for use by all-terrain vehicle operators by the governmental agency having jurisdiction as authorized by S.S. 23.33, Wis. Stats.

All-Terrain Vehicle Trail. A marked corridor on public property or on private lands subject to public easement or lease, designated for use by all-terrain vehicle operators by the governmental agency having jurisdiction, but excluding roadways of highways except those roadways which are not seasonally maintained for motor vehicle traffic.

Approved Snowmobile Trails. Includes all snowmobile trails or routes that have been designated by the County Snowmobile Coordinator or Forestry and Recreation Committee.

Official Trail Closing. That date and time selected and published in the official County newspaper designating the approved snowmobile trails closed for snowmobile and all-terrain vehicle use.

Official Trail Opening. That date and time selected and published in the official County newspaper designating the approved snowmobile trails opened for snowmobile and all-terrain vehicle use.

Off-Road Vehicle. Includes, but is not limited to, trail bikes, motorcycles, mini-bikes, airboats and air cushioned vehicles or golf carts.

Snowmobile. Any engine driven vehicle of a type which utilizes sled type runners, skis or an endless belt tread or any combination of these or similar means of contact with the surface upon which it is operated, but does not include such vehicles which are either manually propelled or driven by a motor of 4 horse power or less and operated only on private property.

Snowmobile Coordinator. The County Assistant Forest Administrator, and such other individuals so designated by the Forestry and Recreation Committee.

Snowmobile Route. A highway or sidewalk designated for use by snowmobile operators by the governmental agency having jurisdiction as authorized by S.S. 350.04, Wis. Stats.

Snowmobile Trail. A marked corridor on public property or on private property, subject to public easement or lease, designated for use by operators of snowmobiles or all-terrain vehicles by the County Snowmobile Coordinator, but excluding highways, except those highways on which the roadway is not normally maintained for other vehicular traffic by the removal of snow.

(2) RESTRICTED USE OF SNOWMOBILES AND ALL-TERRAIN VEHICLES.

(a) No person shall drive a snowmobile, all-terrain vehicle, or off-road vehicle on any land under the supervision, management or control of the County Forestry Department that is posted as "closed to unauthorized motor vehicles".

(b) No person shall drive a snowmobile or all-terrain vehicle at speeds in excess of 10 mph on any portion of an approved snowmobile trail that is posted with a yellow sign indicating "slow", "steep hill", "dip", "turn" or other caution.

(c) Operators of a snowmobile or all-terrain vehicle on approved snowmobile trails must stop at all locations marked with a red sign indicating "stop".

(d) No person shall deface, destroy or remove any all-terrain or snowmobile sign posted on any approved all-terrain trail or snowmobile trail.

(e) No person shall operate an all-terrain vehicle with tire chains or studded tires on any approved snowmobile and all-terrain vehicle trail.

(f) No person shall operate an all-terrain vehicle on any approved snowmobile and all-terrain trail until *10 calendar days have passed after being officially opened for snowmobile use. *The actual number of day(s) will be determined through consultations between the Langlade County Snowmobile Council and Langlade County Recreation Coordinator. Subsequent trails openings in any given season may warrant a waiting period.

(g) No person shall operate an all-terrain vehicle on any approved snowmobile trail when the temperature on the trail at a point four feet above the trail surface is 28 F. or higher.

(h) No person shall operate an all-terrain vehicle or licensed motorcycle on any approved all-terrain trail from March 15 - May 1.

(i) No person shall damage, manipulate, or attempt to circumvent any sign, gate, rock, earthen berm, or other device placed by the Forestry and Recreation Department for the purpose of blocking a closed road or closed area.

(j) Only street-legal motorcycles, driven by licensed operators, are allowed on the all-terrain trails.

(k) Special events, i.e., motorcycle enduro races, which have received prior approval by the Forestry and Recreation Committee, are exempt from subsection (j) of said ordinance.

(l) No person shall operate any motorized vehicle off of any approved all-terrain trail or established logging road. This activity commonly referred to as "cross country travel" is strictly prohibited on any Langlade County forest property.

(m) Notwithstanding other provisions of this ordinance, the Forestry and Recreation Committee and their agents may, at their discretion, close any and all trails or roads within the county forest boundaries to protect the trails and roads from damage caused by all forms of motorized vehicular travel.

(3) RESTRICTED USE OF SNOWMOBILE TRAILS.

(a) No person shall drive any 4-wheel drive vehicle, passenger car, off-road vehicle, truck or motorcycle on any approved snowmobile and all-terrain vehicle trail between the 1st Monday after the close of deer rifle season of each year and April 15 of the following year without the written permission of the County Snowmobile Coordinator, except for club trail maintenance activities.

(b) No person shall operate any snowmobile or all-terrain vehicle on any approved snowmobile trail until officially opened by the County Snowmobile Coordinator or County Snowmobile Council.

(c) No person shall operate any snowmobile or all-terrain vehicle on any approved snowmobile trail after such trail is officially closed by the County Snowmobile Coordinator or County Snowmobile Council.

(d) Operation of snowmobiles and all-terrain vehicles by youthful operators is restricted and defined in S.S. 350.05 and 23.33(5), Wis. Stats.

(e) No person shall deface, destroy or remove any snowmobile sign posted on any approved snowmobile trail.

(f) Landowners who permit snowmobiling on their property under S.S. 29.68, Wis. Stats., shall notify the Snowmobile Coordinator if they intend to travel or allow travel on that portion of the approved snowmobile and all-terrain vehicle trail that traverses their property with a vehicle other than a snowmobile or all-terrain vehicle. The notification shall be the same as that required in S.S. 29.68, Wis. Stats.

(g) Holders of woodcutting permits from the County Forest Administrator shall not be permitted to travel on approved snowmobile trails after December 1 of each winter, except by snowmobile or all-terrain vehicle. Prior to December 1 of each winter, holders of woodcutting permits may travel on approved snowmobile and all-terrain vehicle trails upon obtaining prior written permission from the Snowmobile Coordinator and upon such conditions as the

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Snowmobile Coordinator may require. Private landowners are exempt from the above requirement on their own property.

(h) No person shall park any vehicle or place any obstruction on the groomed portion of any snowmobile trail.

7.115 SNOWMOBILE ROUTES

- (1) **DEFINITION OF SNOWMOBILE ROUTE.** For the purposes of this Ordinance, "snowmobile route" means all or part of any county highway designated for use by snowmobile operators as authorized by the Langlade County Board of Supervisors and as clearly marked as a snowmobile route.
- (2) **HIGHWAYS DESIGNATED AS SNOWMOBILE ROUTES.**
 - (a) County Highway A from W4275 westerly to State Highway 55 (approximately two miles).
- (3) **COMPLIANCE WITH SNOWMOBILE REGULATIONS.** Any person operating a snowmobile on a county highway designated and marked as a snowmobile route shall operate the snowmobile in compliance with all applicable state and local rules.
- (4) **AUTHORITY OF HIGHWAY DEPARTMENT.** The Langlade County Highway Department shall have the right to close or restrict snowmobile traffic on any snowmobile route due to unsafe road conditions or similar public safety concerns.

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7.12 MOTORIZED WATERCRAFT PROHIBITED ON CERTAIN WATERS (ORD. 1-2000)

- (1) **APPLICABILITY AND ENFORCEMENT.**

(a) The provisions of this Ordinance shall apply to the waters of the Wolf River from the influx of the Lily River (South of Hwy 52) in the Township of Langlade, (Section 34, T33N, R13E), to the County line in the Township of Wolf River (Section 31, T31N, R15E).

(b) This Ordinance shall be enforced by the officers of the Langlade County Sheriff's Department.

(2) **INTENT.** The intent of this Ordinance is to provide safe and healthful conditions for the enjoyment of aquatic recreation consistent with public rights and interests, and the capability of the water resources.

- (3) **DEFINITIONS.**

(a) "Motorboat" means any boat equipped with propulsion machinery, whether or not the machinery is the principle source of propulsion.

(b) "Personal watercraft" means a motorboat that uses an inboard motor powering a water jet pump or a caged propeller as its primary source of motive power and that is designed to be operated by a person standing on, kneeling on or sitting astride the watercraft.

(4) **STATE BOATING AND SAFETY LAWS ADOPTED.** State boating laws as found in Sections 30.50 to 30.71, Wisconsin Statutes, are adopted by reference.

(5) **PROHIBITED AREA.** No person shall operate a motorboat or personal watercraft upon the waters of the Wolf River within a boundary extending from the influx of the Lily River (South of Hwy 52) in the Township of Langlade (Section 34, T33N, R13E), to the County line in the Township of Wolf River (Section 31, T31N, R15E). Electric trolling motors only are permitted on said waters.

(6) **POSTING REQUIREMENTS.** The prohibition of motorboat and personal watercraft shall be posted at all public access points within the prohibited area.

(7) **PENALTIES.** Penalty for violation of any provision of this section shall be a forfeiture, together with court costs and fees as prescribed by law and in accord with Section 7.15 of this Chapter. Penalties shall be consistent with Section 30.80, Wis. Stats. (State boating penalties) and deposits as established in the Uniform Deposit and Bail Schedule established by the Wisconsin Judicial Conference, and adopted by reference herein.

- (8) SEVERABILITY. The provisions of this Ordinance shall be deemed severable and it is expressly declared that the Langlade County Board of Supervisors would have passed the other provisions of this Ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this Ordinance or the application to any person or circumstances is held invalid, the remainder of the Ordinance and the application of such provisions to other persons or circumstances shall not be affected.

7.13 OPERATION OF ATV ON OR ADJACENT TO HIGHWAY AND ON COUNTY HIGHWAYS DESIGNATED AS ATV ROUTES

(1) **DEFINITIONS.**

- (a) "All-terrain vehicle" (ATV) has the meaning specified under [Section 340.01 \(2g\)](#), Wisconsin Statutes.
- (b) "All-terrain vehicle route" means a highway designated for use by all-terrain vehicle operators by the governmental agency having jurisdiction as authorized under this section.
- (c) "Operate" means to exercise physical control over the speed or direction of an all-terrain vehicle or to physically manipulate or activate any of the controls of an all-terrain vehicle necessary to put it in motion.
- (d) "Operation" means the exercise of physical control over the speed or direction of an all-terrain vehicle or the physical manipulation or activation of any of the controls of an all-terrain vehicle necessary to put it in motion.

(2) **ATV OPERATION.**

The owner and operator of an ATV shall be responsible to comply with the regulations contained in this ordinance regarding the proper operation of an ATV on or adjacent to roadways and designated ATV routes in Langlade County.

No person may operate an all-terrain vehicle:

- (a) In any careless way so as to endanger the person or property of another.
- (b) On the private property of another without the consent of the owner or lessee. Failure to post private property does not imply consent for all-terrain vehicle use.
- (c) On Indian lands without the consent of the tribal governing body or Indian owner. Failure to post Indian lands does not imply consent for all-terrain vehicle use.
- (d) With any firearm in his or her possession unless it is unloaded and enclosed in a carrying case, or any bow unless it is unstrung or enclosed in a carrying case.
- (e) To drive or pursue any animal except as a part of normal farming operations involving the driving of livestock.
- (f) When within 150 feet of a dwelling at a speed exceeding 10 miles per hour.
- (g) On the frozen surface of public waters within 100 feet of a person not in or on an all-terrain vehicle or motor vehicle or within 100 feet of a fishing shanty at a speed exceeding 10 miles per hour.
- (h) In a manner which violates rules promulgated by the Department of Natural Resources.

(3) **ATV OPERATION ON ROADWAY.**

A person may operate an all-terrain vehicle on the roadway portion of any highway only in the following situations:

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(a) To cross a roadway. The crossing of a roadway is authorized only if the crossing is done in the most direct manner practicable, if the crossing is made at a place where no obstruction prevents a quick and safe crossing, and if the operator stops the all-terrain vehicle prior to the crossing and yields the right-of-way to other vehicles, pedestrians, and electric personal assistive mobility devices using the roadway.

(b) On any roadway which is seasonally not maintained for motor vehicle traffic. Operation of an all-terrain vehicle on this type of roadway is authorized only during the seasons when no maintenance occurs and only if the roadway is not officially closed to all-terrain vehicle traffic.

(c) To cross a bridge, culvert, or railroad right-of-way. The crossing of a bridge, culvert, or railroad right-of-way is not authorized if the roadway is officially closed to all-terrain vehicle traffic. The crossing is authorized only if the crossing is done in the most direct manner practicable, if the crossing is made at a place where no obstruction prevents a quick and safe crossing, and if the operator stops the all-terrain vehicle prior to the crossing and yields the right-of-way to other vehicles, pedestrians, and electric personal mobility devices using the roadway.

(d) On roadways which are designated as all-terrain vehicle routes. Operation of all-terrain vehicles on a roadway which is an all-terrain vehicle route is authorized only for the extreme right side of the roadway except that left turns may be made from any part of the roadway which is safe given prevailing conditions.

(e) On roadways if the all-terrain vehicle is an implement of husbandry, if the all-terrain vehicle is used exclusively for agricultural purposes and if the all-terrain vehicle is registered for private use under Wisconsin Statutes. Operation of an all-terrain vehicle which is an implement of husbandry on a roadway is authorized only for the extreme right side of the roadway except that left turns may be made from any part of the roadway which is safe given prevailing conditions.

(f) On roadways if the operator of the all-terrain vehicle is a person who holds a Class A permit or a Class B permit under [s. 29.193 \(2\)](#) of Wisconsin Statutes and who is traveling for the purposes of hunting or is otherwise engaging in an activity authorized by the permit.

(g) On roadways of highways that are all-terrain vehicle trails.

(4) ATV OPERATION ADJACENT TO ROADWAY.

A person may operate an all-terrain vehicle adjacent to a roadway on an all-terrain vehicle route or trail if the person operates the all-terrain vehicle in the following manner:

(a) At a distance of 10 or more feet from the roadway along U.S. numbered highways and state and county highways. Travel on the median of a divided highway is prohibited except to cross.

(b) Outside of the roadway along town highways.

(c) During hours of darkness in the same direction as motor vehicle traffic in the nearest lane, although during daylight hours travel may be in either direction regardless of the flow of motor vehicle traffic.

(d) Not in excess of the speed limits of the adjacent roadway.

(e) With due regard to safety and in compliance with rules promulgated by the department and approved by the Department of Transportation.

(5) DESIGNATION OF ATV ROUTES.

(a) County highways designated as ATV routes shall be established and approved by the Highway Committee. Any modification to a designated ATV route shall be approved by the Highway Committee. The Highway Committee shall retain the sole authority for the closure or termination of any ATV route on the County Trunk Highway System.

(b) ATV routes shall be designated by signs approved by the Departments of Natural Resources and Transportation.

(6) **RESTRICTIONS.**

- (a) All designated routes shall have a speed limit of 30 miles per hour.
- (b) The Highway Committee may specify effective periods for the use of all-terrain vehicle routes and trails and may restrict or prohibit the operation of an all-terrain vehicle during certain periods of the year.

(7) **INTERFERENCE WITH SIGNS AND STANDARDS PROHIBITED.**

(a) No person may intentionally remove, damage, deface, move or obstruct any uniform all-terrain vehicle route or trail sign or standard or intentionally interfere with the effective operation of any uniform all-terrain vehicle route or trail sign or standards if the sign or standard is legally placed by the state, any municipality or any authorized individual.

(b) No person may possess any uniform all-terrain vehicle route or trail sign or standard of the type established by the department for the warning, instruction or information of the public, unless he or she obtained the uniform all-terrain vehicle route or trail sign or standard in a lawful manner. Possession of a uniform all-terrain vehicle route or trail sign or standard creates a rebuttable presumption of illegal possession.

(8) **EXCEPTIONS.**

The provisions in this ordinance do not apply to the operator of an all-terrain vehicle owned by a municipality, state agency or public utility while the operator is engaged in an emergency or in the operation of an all-terrain vehicle directly related to the functions of the municipality, state agency or public utility if safety does not require strict adherence to these restrictions.

(9) **ENFORCEMENT.**

The Lantlade County Sheriff's Department may issue citations for violations of this ordinance. The owner and operator of the ATV involved in a violation of this ordinance shall be liable for violations of these regulations.

(10) **PENALTY.**

Forfeitures for violations of this ordinance are set forth in the penalty provisions contained in Section 25.04, Lantlade County Code of Ordinances.

7.15 PENALTIES.

(1) **FORFEITURE PENALTY.** Except as otherwise provided, the penalty for violation of any provision of this chapter shall be a forfeiture as hereafter provided, together with court costs and fees as prescribed by S.S.814.63(1) and (2) or 814.65(1), Wisconsin Statutes, the penalty assessment for moving traffic violations, the driver improvement surcharge imposed by S.S.53.46(1), Wisconsin Statutes, where applicable. Payment of the judgment and applicable court costs, fees, assessments and surcharges may be suspended by the sentencing court for not more than 60 days. Any person 18 years of age or older who shall fail to pay the amount of the forfeiture, court costs, any penalty assessment or driver surcharge or other penalty imposed for violation of any provision of this chapter 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.

(2) **OTHER SANCTIONS.**

(a) By Court. 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, order the defendant to submit to assessment and rehabilitation programs or to attend traffic safety school in addition to payment of a monetary penalty or in lieu of imprisonment.

(b) By the County. No person who has been convicted of a violation of any provision of this chapter shall be issued a license or permit by the County Clerk, except a marriage, hunting, fishing or dog license, unless the forfeiture imposed for such violation and any penalty assessment, court costs, fees or surcharge is paid.

(3) FORFEITURES FOR VIOLATION OF MOVING TRAFFIC REGULATIONS. Forfeitures for violations of traffic regulations contained in the statutes adopted by reference in 7.01 of this chapter shall conform to the forfeiture penalty permitted to be imposed for violations of the comparable statute, including any variations or increases for subsequent offenses, provided, however, that this subsection shall not be construed to permit prosecution under this chapter for any offense described in Chs. 341 to 348, Wis. Stats., for which a fine or term of imprisonment may be imposed upon the defendant.

(4) FORFEITURES FOR PARKING VIOLATIONS. (ORD. 6-2007)

- (a) Issuance of parking citation for direct payment to the Sheriff's Department.
1. Violations of parking restrictions as listed in Section 7.07 may be enforced by the issuance of a parking citation pursuant to a Forfeiture Schedule. The Forfeiture Schedule is subject to revision and approval of the Public Safety Committee.
 2. Persons cited under this section may discharge the penalty and avoid court prosecution by remitting the forfeiture to the Sheriff's Department within 48 hours of receipt of the citation. The amount of the forfeiture shall double if not paid within 48 hours.
 3. If the forfeiture is not received within 15 days of the date the citation was issued, then a Wisconsin Uniform Traffic Citation shall be issued which includes all related court costs and assessments as included in the Forfeiture Schedule adopted by the Langlade County Circuit Court.
- (b) Issuance of Wisconsin Uniform Traffic Citation for Parking, Stopping and Standing Offenses.
1. Violations of parking restrictions as listed in Section 7.07 may be enforced by the issuance of a Wisconsin Uniform Traffic Citation pursuant to the enforcement procedure set forth in Section 7.16 and in an amount as identified in the Forfeiture Schedule adopted by the Langlade County Circuit Court.

(5) OTHER VIOLATIONS. Any person who shall violate any provision of this chapter for which a penalty is not established by subs. (1) and (2) shall be subject to a penalty as provided in 25.04 of this Code of Ordinances.

7.16 ENFORCEMENT. This chapter shall be enforced in accordance with the applicable provisions of the Wisconsin Statutes and this section.

(1) APPLICABLE COURT PROCEDURES. Except as otherwise specifically provided by the statutes or this chapter, the traffic regulations in this chapter shall be enforced in the circuit court of the County in accordance with the provisions of Chs. 345 and 799, Wisconsin Statutes.

(2) CITATIONS.

(a) 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 chapter, except those provisions which describe or define nonmoving traffic violations under SS7.10 of this chapter and violations of SS346.71 through 346.73, Wisconsin Statutes, shall be reported to the District Attorney and the Wisconsin Uniform Traffic Citation shall not be used in such cases, except upon written request of the District Attorney.

(3) DEPOSITS AND STIPULATIONS.

- (a) Uniform Traffic Offenses.
1. Who May Make. Persons arrested or cited for violation of moving traffic offenses created by this chapter shall be permitted to make deposits and be released by the arresting officer in accordance with the applicable provisions of the Wisconsin Statutes.
 2. Delivery or Mailing of Deposit. The deposit shall be delivered personally by the person cited or mailed to the office of the Sheriff or Clerk of Court.
 3. Receipt Required. The official or person receiving the deposit shall furnish and deliver or mail an original receipt for such deposit to the alleged violator and shall deliver the deposit and stipulation and a copy of the receipt within 10 days to the Clerk of Court.

7.17 REPEALS. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.