

6.01 PROVISIONS OF STATE LAW ADOPTED BY REFERENCE.

(1) **State traffic forfeiture laws adopted.** Except as otherwise specifically provided in this chapter, all provisions of Chapters 340 to 348 of the Wisconsin Statutes describing and defining regulations with respect to vehicles and traffic for which the penalty is a forfeiture only, including penalties to be imposed and procedure for prosecution, are hereby adopted and by reference made a part of this 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.

Sections of Chapters 340 to 348 adopted by reference shall include but not be limited to the following:

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(2) Other Laws Adopted. Section 941.01(1), negligent operation of a vehicle, of the Wisconsin Statutes is also hereby adopted by reference, but the prosecution of such offense under this chapter shall be as provided in Chapters 340 to 348 of the Wisconsin Statutes. Wisconsin Department of Transportation Trans 305 is also hereby adopted by reference in its entirety relating to the standard for motor vehicle equipment.

(3) Penalty. Any person who violates any provision of this section shall forfeit not more than \$500.00, together with costs of prosecution and may be ordered to pay restitution and complete community service.

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 100 feet south from the centerline of East Rhine Street.
- (b) On the west side of South Washington Street for 306 feet south from the centerline of East Rhine Street. 10 Minute loading zone permit available.

- (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 the east side of Osthoff Avenue 148 feet south from the railroad tracks.
- (h) On the east side of Osthoff Avenue 80 feet south of the south walkway entrance (crosswalk) and 120 feet north of the south walkway entrance (crosswalk).
- (i) On the west side of Osthoff Avenue 90 feet north of the south walkway entrance (crosswalk).
- (j) On the west side of South Lake Street south 528 feet from the south walkway entrance (crosswalk).
- (k) 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.
- (l) On the north side of East Rhine Street for 55 feet east from North East Street.
- (m) On the north side of East Rhine Street for 50 feet east from North Washington Street.
- (n) On the north side of East Rhine Street for 45 feet west from North Washington Street.
- (o) On the south side of East Rhine Street for 99 feet west from South Washington Street.
- (p) 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, trailer, or camper shall be permitted on either side of any Village street, or within six feet of the edge/curb of the street between the hours of 2:00 o'clock a.m. and 6:00 o'clock a.m. on the fifteenth (15th) day of November and ending on the first (1st) day of April of every year.
- (b) No parking of any motor vehicle, trailer, or camper shall be permitted in any Village parking lot as posted on the fifteenth (15th) day of November and ending on the first (1st) day of April of every year.
- (c) Any vehicle, trailer, or camper parked in violation of the provisions of this ordinance shall be removed from the parking lot or 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 statutes 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 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 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 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 fifteen dollar (\$15.00) 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 fifteen dollars (\$15.00) 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 Violation 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	FEE	\$25.00
PROHIBITED PARKING VIOLATION	FEE	\$25.00
FIRE LANE VIOLATION	FEE	\$50.00
HANDICAP ZONE VIOLATION	FEE	\$150.00

(10) Vehicles Parked on Streets for Extended Periods of Time

(a) 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, parking lot or alley for longer than forty-eight (48) continuous hours.

(b) Between the hours of 10:00 p.m. and 5:00 a.m., no person shall park on any Village street, parking, or alley: highway motor trucks, truck tractors, semi-trailers, or vehicles exceeding or equal to 12,000 pounds gross weight.

i. Vehicles in violation of the ordinance may be parked during the hours of 10:00 p.m. and 5:00 a.m. provided that a special permit is first obtained. The Chief of Police or his/her designee shall be able to grant special permits based on unusual, non-recurring circumstances, the absence of reasonable alternatives, emergencies, etc.

(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.

6.03 Parking Lines.

(1) The committee on Public Works, or the sub-committee thereof dealing with street, sidewalks, and alleys shall, from time to time, cause appropriate lines to be marked upon the streets of the Village to designate parking areas and no-parking areas in conformity with Section 6.02.

(2) Penalties Any other 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.

6.04 Marking Streets.

(1) Only the committee on Public Works, or any sub-committee thereof dealing with streets, sidewalks, and alleys, may establish and designate and thereafter maintain appropriate lines, cross walks at intersections, and may establish safety zones and loading zones and make lines for traffic.

(2) Penalties Any other person who violates this section by placing unauthorized markings, 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.

6.05 Official Traffic Signs and Signals.

(1) **Authorized to Procure and Erect Signs and Signals** There shall be procured, erected and maintained appropriate standard traffic signs, signals, and markings conforming to the rules of the state highway division giving such notice of the provisions of this chapter as required by state law. Signs shall be erected in such locations and manner as the Village Board shall determine will best effect the purposes of this ordinance and give adequate warning to users of the street or highway.

(2) **Removal of Unofficial Signs and Signals** The committee on Public Works or any sub-committee thereof shall have the authority granted by s. 349.09, Wis. Stats., and is hereby directed to order the removal of a sign, signal, marking or device placed, maintained or displayed in violation of this Chapter or s. 346.41, Wis. Stats. Any charge imposed on a premise for removal of such an illegal sign, signal, or device shall be reported to the Village Board at its next regular meeting for review and certification.

(a) No person shall place, maintain, or display upon or in view of any highway or at or in view of any railroad crossing any unauthorized sign, light, reflector, signal, marking, or device which:

(i) Purports to be or is an imitation of or resembles or may be mistaken for an official traffic sign or signal or railroad sign or signal; or

(ii) Attempts to direct the movement of traffic; or

(iii) Hides from view or by its color, location, brilliance, or manner of operation interferes with the effectiveness of any official traffic sign or signal or railroad sign or signal.

(b) No person shall place or maintain nor shall any public authority permit upon any highway any traffic control device bearing thereon any advertising except that a federal yellow flag, 24 inches square and bearing either the words "Safety Patrol" or "School," attached to a light weight pole 8 feet or less in length may be used by members of school safety patrols standing adjacent to but off the roadway to warn traffic that children are about to cross the roadway.

(c) No person shall place or maintain or allow to be displayed any red or amber reflector within the limits of the highway boundaries at or near the entrance to a private road or driveway. The use of blue reflectors is permitted provided there is no disapproval by the highway authority in charge of maintenance of the highway.

(3) **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.

6.06 ENFORCEMENT. This chapter shall be enforced in accordance with provisions of Wis. Stats. 345.20 to 345.53, Chapter 299 and relevant portions of Chapter 66.

- (1) **Uniform Citation** All moving traffic violations under Chapter 6 shall be consistent with the uniform traffic citation under Wis. Stats. 345.11.
- (2) **Parking Citations** Citations for all non-moving traffic violations in this Chapter shall conform to s. 345.28, Wis. Stats., and shall permit direct mail payment of applicable minimum forfeiture to the Village Police Department at any time prior to the initial court appearance. The issuing officer shall specify thereon the amount of the applicable forfeiture as provided in this chapter.
- (3) **Notice of Demerit Points and Receipt** Every officer accepting a forfeited penalty or money deposit under this chapter shall receipt therefore as provided in s. 345.26 (3) (b), Wis. Stats. Every officer accepting a stipulation under the provisions of this ordinance shall comply with the provisions of ss. 343.28, 345.26 (1) (a) and 345.27 (2), Wis. Stats.
- (4) **Officers Accepting Forfeitures** Any officer accepting deposits or forfeited penalties under this chapter shall deliver them to the Village Treasurer within 20 days after receipt.

6.07 BICYCLES.

- (1) **Definitions** The word “bicycle” includes every device propelled by feet acting upon pedals and having wheels, any of which are over eighteen (18) inches in diameter with tires inflated.
- (2) **Registration** Every bicycle having wheels 18 inches in diameter or over shall be registered with the police department and have the registration sticker attached to the bicycle.
- (3) **Application** Applications for registration shall be filed by the owner, if an adult, with the police department (or its designee) on forms provided for it, and if the owner is a minor, by his or her parent or guardian. All bicycles operated in the Village must be registered within ten days of purchase and delivery of the bicycle to the owner.
- (4) **Sticker Fee and Term; Records** Upon payment of a registration fee of \$6.00 by the applicant, the police department shall issue a registration sticker for the bicycle, which shall permit the bicycle to be operated upon the streets of the Village. No further application or fee shall be required for use of such bicycle; subject, however, to the provisions of Sections 5 and 6.
- (5) **Display of Sticker; Fee for Replacement** No bicycle shall be considered registered until a registration sticker, which shall remain legible at all times, shall be affixed to the bicycle, which shall remain so affixed until re-registration or until removed by the police department for

a cause. No person shall unlawfully remove, deface or destroy any such identification sticker. If a replacement sticker must be issued, the fee therefore shall be \$2.00.

(6) Transfer; Fee Every person who transfers the title of any bicycle shall endorse upon the bottom of the registration card the name and address of the transferee, the date of the transfer, and the name of the transferor. The transferee, upon re-registration, shall pay a transfer fee of \$2.00. Transferee must register bicycle within ten (10) days of such transfer.

(7) Reports by Police Department and Treasurer The police department shall make a daily report and payment to the treasurer of funds received from bicycle registration fees, when such office is open. The treasurer shall make a quarterly report thereon to the Village Board.

(8) Operation of Unregistered Bicycle; Liability Therefore No parent of a minor child or guardian of a minor child shall knowingly and willingly permit such minor child to operate an unregistered bicycle in the Village.

(9) Serial Number and Registration Sticker; Maintenance

(a) The serial number and registration sticker of every bicycle shall be maintained in proper condition and conform with this division. No person shall:

(i) Willfully twist, paint, alter, or add to or cut off any portion of a serial number or registration sticker.

(ii) Place or deposit or cause to be deposited on such serial number or registration sticker any substance to hinder the normal reading of such numbers:
or

(iii) Deface, disfigure, change, or attempt to change any letter or figure on the serial number or registration sticker.

(b) Any bicycle with a serial number or registration sticker which has not been maintained as required in this section and are found to be defaced, disfigured, altered or painted over, shall be presumed to be stolen, subject to immediate impoundment, and will be released only upon verification of ownership.

(c) The owner of a bicycle with an illegible, defaced disfigured, altered, or painted over registration sticker shall, as quickly as time permits, reapply and pay for a replacement registration sticker as provided in Section 5.

(10) Rules of Bicycle Operating While being operated on the highway, including any streets of the Village of Elkhart Lake:

(a) Every bicycle operated within one-half hour after sunset and one-half hour before sunrise, shall be equipped with a lamp firmly attached to the front of such bicycle exhibiting a white light to the front and a lamp on the rear exhibiting a red light or

reflector visible at a distance of 500 feet. The size of the reflector is not to be less than three (3) inches.

(b) The rider of a bicycle shall ride as near as practicable to within five (5) feet to the right hand curb or edge of the roadway except when passing another vehicle or making a left turn at an intersection.

(c) No person operating a bicycle shall participate in any race, speed, or endurance contest with any other moving vehicle on a Village street or alley except as authorized by the Village.

(d) No rider of a bicycle shall practice any fancy or acrobatic riding or stunts while operating such bicycle nor operate a bicycle upon the sidewalks within said Village.

(e) No bicycle shall be used to carry more persons at one time than the number for which it is designated and equipped nor shall a bike be used to tow any person or object that is not specifically designed for towing by bicycles.

(f) It shall be unlawful for any person riding upon a bicycle to cling or attach himself or his bicycle to any moving vehicle.

(g) Group riding, in excess of two abreast, is forbidden.

(h) All bicycles shall stop for arterial highways, signs, and automobile traffic signals when emerging from alleys or driveways.

(i) No bicycle shall be parked upon any sidewalk area or upon any roadway in such a manner as to interfere with free passage of the public.

(j) Bicycles which are not mechanically safe shall not be operated on the streets of the Village of Elkhart Lake.

(k) No person may operate a bicycle in a park within the Village of Elkhart Lake except in designated parking areas.

(l) Persons riding bicycles in the Village shall ride single file on all roadways, sidewalks, and in other areas where other motor vehicles and pedestrian traffic is present.

(m) A person propelling a bicycle shall not ride other than upon or astride a permanent or regular seat attached thereto facing forward with both feet on the pedals.

(11) No parent of a minor child or guardian of a minor child shall knowingly and willingly permit such minor child to violate any provisions of Section 6.07 (10).

(12) Penalties Any person who violates any provisions of this section shall forfeit not more than \$200.00, together with costs of prosecution and may be ordered to pay restitution and complete community service.

6.08 TRUCK ROUTES

(1) Purpose and Intent The purpose and intent of this ordinance is to provide routes of access to areas of the Village which rely upon trucks (as defined herein) for the shipping and receiving of goods and materials. The regulation of the use of residential streets by trucks is intended to create safer, quieter, and cleaner residential areas and to reduce the cost of the maintenance of those streets not designed for sustained truck use.

(2) Definitions For the purposes of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein:

- (a) “Deviating Truck” is a truck which leaves and departs from a truck route while traveling inside the Village.
- (b) “Person” is any person, firm, partnership, association, corporation, company, or organization of any kind.
- (c) “Trucks” means all vehicles not operating completely on pneumatic tires, and all vehicles or combination of vehicles having a gross weight of more than 15,000 pounds.
- (d) “Truck Route” is a street designated herein over which trucks operating within the Village shall travel.

(3) Exemptions All trucks within the Village must be operated only over and along the truck routes herein established and on other designated streets over which truck travel is permitted, with the following exceptions:

- (a) Emergency vehicles, as defined in s. 340.01(3) of the Wisconsin Statutes, may be operated on any street.
- (b) Motor buses used for public transportation may be operated on any street.
- (c) Trucks may operate over any street on which any official detour has been established, if truck traffic would have been permitted on the closed street.
- (d) Trucks owned or operated by the Village or by a public utility while such truck is traveling to or from the repair, maintenance or construction of a public utility facility.
- (e) The Chief of Police may designate any street or streets as a temporary truck route when required to provide access to a construction site within the Village on the conditions that such street or streets:

- (i) Are wide enough to safely carry truck traffic.
- (ii) Will provide reasonable and direct ingress and egress to said construction site.

(4) Street Designated as Truck Routes All trucks must proceed over an established truck route and shall deviate only at the intersection with the street nearest to the destination point. Upon leaving the destination point, a deviating truck must return to the truck route by the shortest possible route, unless the next point of delivery is nearer in total travel distance than the truck route. There must be no deviation on Moraine Drive, Crestwood Drive, and Chicago Street without permission from the Chief of Police. The following streets shall be designated as truck routes: County Trunks A and J, Highway 67, and Maple Street.

(5) Administration and Enforcement

- (a) The Village Clerk shall keep and maintain accurate maps delineating the truck routes. Such maps shall be available to the public.
- (b) The Village shall cause all truck routes to be clearly sign-posted to give notice that this ordinance is in effect.
- (c) The Elkhart Lake Police Department shall have the authority to require any person driving, or in control of any truck not proceeding over a truck route, to give reasons for such, and/or to proceed to any public or private scale available for the purpose of weighing and determining compliance with this ordinance.

(6) Penalties Any person who violates any provision of this section shall forfeit not more than \$200.00, together with costs of prosecution and may be ordered to pay restitution and complete community service.

6.09 One-Way Highways, Safety Zones, Turns, and Lanes

(1) In the interest of public safety and pursuant to s. 349.10, Wis. Stats., the following streets or portions thereof are declared one-way highways and safety zones, traffic signs, or signals giving notice thereof shall be erected by the Village in accordance with Section 6.05 of this chapter.

- (a) Entrance to the local high school premises shall be from the roadway which runs east-west along the south side of the high school.
- (b) Exiting from the high school premises shall be from the eastern exit where the east-west roadway along the north side of the horseshoe drive in front of the main high school building.

- (c) All travel on the roadway along the south side of the high school shall be from east to west.
- (d) All travel on the roadway along the north edge of the high school shall be from west to east.
- (e) All travel on the horseshoe drive in front of the high school shall be from south to north.

6.10 REGULATION OF SKATEBOARDS, ROLLER SKATES, ROLLER BLADES AND INLINE SKATES

- (1) No person shall skateboard, roller skate, inline skate or roller blade at any time in the following areas of the Village:
 - (a) In any Village park;
 - (b) On any Village street, except that Village streets may be used by individuals traveling directly from one location to another. Use of stunts or acrobatics is prohibited on any Village streets;
 - (c) In any public parking lot;
 - (d) Public areas, including sidewalks or walkways, within property zoned commercial or industrial.
- (2) The use of skateboards, roller skates, inline skates, or roller blades is permitted on Village streets for the purpose of transportation directly from one location to another. Any person skateboarding, roller skating, inline skating, or roller blading on a Village street is subject to the rules of bicycle operation as outlined in Section 6.07 of these ordinances which is included by reference as part of these regulations and applies to skateboards, roller skates, inline skates, or roller blades.
- (3) **Penalties** Any person who violates this section shall forfeit not more than \$200.00, together with costs of prosecution and may be ordered to pay restitution and complete community service.

6.11 VEHICLES TO STOP FOR SCHOOL BUSES DISPLAYING FLASHING LIGHTS; SCHOOL BUSES REQUIRED TO USE FLASHING LIGHTS IN RESIDENTIAL OR BUSINESS DISTRICTS.

(1) Pursuant to Wis. Stat. Sec. 349.21(1) and Wis. Stat. Sec. 346.48(2)(b)(2), school bus operators shall use flashing red warning lights in residential or business districts when pupils or other authorized passengers are being loaded or unloaded.

(2) The operator of any vehicle which approaches from the front or rear of any school bus which is stopped and which is displaying flashing red warning lights as provided in Subsection (1) shall stop his or her vehicle not less than twenty (20) feet from the bus and shall remain stopped until the bus resumes motion or the bus operator extinguishes the flashing red warning lights.

(3) **Penalties** Any person who violates this section shall forfeit not more than \$200.00, together with costs of prosecution and may be ordered to pay restitution and complete community service.

6.12 MOTOR VEHICLES IN CERTAIN AREAS PROHIBITED.

(1) No motor vehicles, except emergency vehicles or vehicles allowed by special permit issued by the Village Board, shall be allowed on the pedestrian walkway and mall area formerly known as "Lake Street."

(a) Vehicles over 16,000 pounds will not be granted permits for the walkway.

(b) The special permit will have an application fee that will be set from time to time by resolution of the Village Board.

(2) **Penalties.** Any person who violates this section shall forfeit not more than \$500.00, together with the costs of prosecution and may be ordered to pay restitution and complete community service.

6.13 REGULATION OF MOTORIZED SCOOTERS.

(1) No person shall operate a motorized scooter any time in the following areas of the Village:

(a) All Village parks;

(b) All public parking lots;

(c) All Village streets and sidewalks

(2) **Penalties** Any person who violates this section shall forfeit not more than \$200.00, together with the costs of prosecution and may be ordered to pay restitution and complete community service.

6.14 NEIGHBORHOOD ELECTRIC VEHICLES PERMITTED.

(1) Definitions:

(a) “Neighborhood Electric Vehicles” (NEV) means a self-propelled motor vehicle that has successfully completed the neighborhood electric vehicle America test program conducted by the Federal Department of Energy and that conforms to the definition and requirements for low speed vehicles as adopted in the Federal Motor Vehicle Safety Standards for “low-speed vehicles” under 49 CFR 571.3(b) and 571.500.

(b) NEVs shall be 4-wheeled and have a speed range of at least 20 miles per hour and not more than 25 miles per hour on a paved surface and have a gross vehicle weight at rest of less than 2,500 pounds. NEV does not include an electric golf cart. A NEV shall have:

- (i) Headlamps;
- (ii) Front and rear turn signals;
- (iii) Stop lamps;
- (iv) Reflex reflectors: one red and each side as far to the rear as practicable, and one red on the rear;
- (v) An exterior mirror mounted on the driver’s side and either an exterior mirror on the passenger side or an interior rearview mirror;
- (vi) Parking brake;
- (vii) A windshield that conforms to the requirements of the federal motor vehicle safety standard on glazing materials (49 CFR 571.205);
- (viii) A Vehicle Identification Number (VIN) that complies with federal law (49 CFR 565);
- (ix) A Type 1 or Type 2 seatbelt assembly conforming to 49 CFR 571.209, and Federal Motor Safety Standard No. 209, for each designated seating position; and
- (x) Meets the general test conditions under 49 CFR 571.50056.

(2) Permitted Users of Neighborhood Electric Vehicles To use an NEV on Village streets as described in (1) above, the individual must have a valid Wisconsin driver’s license.

(3) **Permitted Use of Neighborhood Electric Vehicles on Village Streets** Except as provided below, a licensed individual may operate a NEV on the streets of the Village of Elkhart Lake having a posted speed limit of 35 miles per hour or less and headlamps must be on during operation. However, the operation of a NEV is strictly prohibited on STH 67/North and South Lincoln Street and CTH JP/Birchwood Drive. For purposes of this Ordinance the walkway between the Osthoff Resort and Elkhart Lake is not a street upon which a NEV may be operated.

(4) **Operation of Neighborhood Electric Vehicles** The operation of NEVs as permitted herein shall in all respects be in compliance with Chapter VI of the Village of Elkhart Lake Code of Ordinances.

(5) **Registration** All NEVs shall be registered in accordance to Wisconsin Statutes.

(6) **Enforcement** Enforcement of this ordinance regulating the use of a NEV within the Village shall be pursuant to the Village of Elkhart Lake Code of Ordinances. If not otherwise provided, the penalty for the unauthorized use of a NEV within the Village of Elkhart Lake shall be \$65.00 per occurrence.