

CHAPTER 29

VEHICLES AND TRAFFIC

(Rep. & Rec. GO 16-03)

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**SUBCHAPTER I
GENERAL PROVISIONS**

29.101 STATE TRAFFIC LAWS ADOPTED. Except as otherwise provided in this ordinance, all provisions of Chapters 340 to 350 of the Wisconsin Statutes, and all provisions of Trans 305 of the Wisconsin Administrative Code describing and defining regulations relative to the equipment of vehicles that the City may adopt as ordinances are hereby adopted and by reference made part of this Chapter as if fully set forth herein. Any future amendments, revisions, or modifications of the statutes incorporated herein are intended to be made part of this Code in order to secure uniform statewide regulation of traffic on the highways, streets, and alleys of the State of Wisconsin.

29.102 TRAFFIC POWERS AND DUTIES.

(1) **INSTALLATION OF TRAFFIC SIGNS AND SIGNALS.** The Department of Public Works may procure, install, and maintain appropriate State traffic signs, signals, and markings conforming to the Wisconsin Department of Transportation edition of the Federal Manual of Uniform Traffic Control Devices for Streets and Highways (MUTCD). Signs shall also be installed in such locations and manner as are authorized by the Council to give adequate warning to users of the street, alley, or highway in question.

(2) **DESIGNATION OF CROSSWALKS, SAFETY ZONES, SAFETY ISLANDS, LOADING ZONES, AND LANES FOR TRAFFIC.**

(a) **Crosswalks.** The Traffic Engineer may establish and designate, and shall thereafter maintain or cause to be maintained by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where, in the engineer's opinion, there is particular danger to pedestrians crossing the roadway and at such other places as the engineer deems necessary.

(b) **Safety Zones and Loading Zones.** (Amd. GO 9-16) The Traffic, Bicycle and Pedestrian Commission may establish safety zones and loading zones of such kind and character and at such places as it deems necessary for the protection of persons using the public streets.

(c) **Traffic Lanes.** The Traffic Engineer may mark traffic lanes on the street pavement at such places as deemed advisable, consistent with the provisions of this chapter.

(d) **Safety Islands.** The Council may install and maintain, or cause to be installed and maintained, safety islands in such places as it deems advisable.

(3) **EMERGENCY REGULATIONS.**

(a) **General.** The Chief of Police may make and enforce temporary regulations to cover emergency or special conditions, and all traffic shall be subject thereto.

(b) **Snow Removal.** Parking and traffic may be prohibited on streets in certain areas to facilitate snow removal. In such cases, the Director of Public Works may designate the days during which traffic or parking shall be prohibited on streets within a certain area, and shall give notice either by publication in a newspaper, by announcement over the radio, by placing signs in the area designated, or by other appropriate or convenient means to the effect that traffic and parking of automobiles in a designated area is prohibited during such removal.

29.103 TRAFFIC, BICYCLE AND PEDESTRIAN COMMISSION. (Amd. GO 9-16)

(1) **COMPOSITION AND TERMS.** There is created and established a Commission of seven members to be known as the Traffic, Bicycle and Pedestrian Commission. Five of the commissioners shall be civilian members appointed by the Mayor, subject to confirmation by the Council, for three-year terms. One member shall be an alderman appointed by the Mayor, subject to confirmation by the Common Council, for the balance of his/her present term in office; and the other member shall be the Police Department Operations Commander, or his/her assign, and shall serve as an ex-officio voting member.

(2) **POWERS AND DUTIES.**

(a) **General.** The Traffic, Bicycle and Pedestrian Commission gives due consideration to both motorized and non-motorized traffic within the City. The Commission shall coordinate traffic, bicycle and pedestrian activities, carry out educational activities in traffic, bicycle and pedestrian matters; supervise the preparation and publication of traffic, bicycle and pedestrian reports; reference existing transportation, pedestrian and bicycle plans; receive complaints having to do with traffic, bicycle and pedestrian matters; and recommend to the Council and other City officials ways and means for improving traffic, bicycle and pedestrian conditions, including the acquisition of off-street parking and the administration and enforcement of traffic regulations.

(b) **Temporary Regulations.** To test proposed regulations under actual conditions, the Traffic, Bicycle and Pedestrian Commission may make temporary regulations governing traffic for trial periods not to exceed 90 days. If such trial periods are deemed successful by the Commission, it shall make its recommendations accordingly to the Council so the Council may consider legislation to make such temporary regulations permanent.

(c) **Self-Government.** The Traffic, Bicycle and Pedestrian Commission shall make its own rules regarding meetings and procedures and may enact such rules for attendance as to declare any of the civilian offices on the Commission vacant because of violation thereof.

(d) **Residential Parking Districts.** Subject to Council approval, the Traffic, Bicycle and Pedestrian Commission may promulgate regulations to implement and amend provisions relating to Residential Parking Districts as defined in Sec. 29.201(5), Green Bay Municipal Code. Such regulations shall become effective upon Common Council approval.

29.104 REGISTRATION AS EVIDENCE. When any vehicle is found upon a street or highway within the City in violation of any provision of this Municipal Code regulating the stopping, standing, or parking of vehicles and the identity of the operator cannot be determined, it shall be prima facie evidence that such violation was committed by the person registered by the Motor Vehicle Division of the Department of Transportation as the owner of such vehicle.

**SUBCHAPTER II
PARKING REGULATIONS**

29.201 DEFINITIONS.

(1) **BUS STOP.** A portion of a street or public property marked by a "Bus Stop" or "Bus Loading Zone" sign placed to indicate that such a portion is reserved for the loading or unloading of persons from

school or transit buses.

(2) **DRIVEWAY.** The area on a right angle to the street which is used to convey a motor vehicle in the most direct manner to a parking area or garage, as further defined in Sec. 13.41, Green Bay Municipal Code.

(3) **LOADING ZONES.** That portion of any street or parking facility clearly marked with a sign informing the public that the use of such area is limited to the loading or unloading of persons or property from a motor vehicle.

(4) **METERED ZONE.** A portion of a City street or parking facility which has parking meters immediately adjacent to and designated for specific parking spaces.

(5) **RESIDENTIAL PARKING DISTRICT.** A district created by ordinance and located in a residential zone, as defined by the City Zoning Code, in which on-street parking during designated hours is allowed only to the residents of the district who display permits on the parked vehicles.

(6) **SNOW EMERGENCY ZONE.** Any area duly designated by the Director of Public Works for the purposes of snow removal under the emergency powers provided in Sec. 29.102(3), Green Bay Municipal Code.

(7) **STREET MAINTENANCE OR SNOW REMOVAL ZONE.** Any area designated by the Department of Public Works for street maintenance work upon which is posted a sign stating "No Parking – Road Work Ahead" or other similar language indicating that such area is to be left vacant for performance of such work. Such sign shall be posted at least two hours before such maintenance work is to be done.

(8) **TERRACE.** That portion of City property between the curb line of the street and the curbside edge of the sidewalk.

29.202 CLASS "A" PARKING VIOLATIONS.

(1) **TIME LIMIT VIOLATION.** No vehicle shall be parked beyond the time limit established for parking in such area.

(2) **EXPIRED METERS.** No vehicle shall remain in a parking space adjacent to a meter while such meter is displaying a signal indicating that the appropriate fee for parking in such space has not been paid.

(3) **LOADING ZONES.** No vehicle shall be parked in a loading zone unless the vehicle is being actively used for the loading or unloading of persons or property.

(4) **FAILURE TO PAY REQUIRED FEES FOR PUBLIC PARKING.** (Cr. GO 35-06) No person parking a vehicle in a public ramp or lot shall fail to pay the required fees for parking whether after hours or otherwise.

(5) Deleted per GO 1-17.

29.203 CLASS "B" PARKING VIOLATIONS.

(1) **NO PARKING AT ANY TIME.** No vehicle shall be parked on a street that the Common Council has designated as no parking at any time.

(2) **BUS STOPS.** No vehicle shall be parked in a duly designated bus stop.

(3) **NARROW THOROUGHFARES.** No vehicle shall be parked in a street or alley that is less than 18 feet wide from curb to curb.

(4) **RAILROAD CROSSING.** No vehicle shall be parked within 50' of the nearest railroad crossing.

(5) **IMPROPER PARALLEL PARKING.** Upon any street where traffic is permitted to move in both directions simultaneously and where angle parking is not clearly designated by official traffic signs or markings, no vehicle may park unless parked parallel to the edge of the street, and faced in the direction of traffic on that side of the street. Upon a one-way street or divided street where parking on the left side of the roadway is clearly authorized by official traffic sign or markings, vehicles shall be parked as indicated by such markings and faced in the direction of traffic on that side of the street. No vehicle shall be parallel parked in excess of 12" from the curb line. No vehicle shall be parallel parked in such a manner as to situate the front or rear of the vehicle less than 2' from the front or rear of any other vehicle.

(6) **CROSSWALKS.** No vehicle shall be parked within 15' of the near limit of a crosswalk whether marked or unmarked.

(7) **INTERSECTIONS.** No vehicle shall be parked within an intersection.

(8) **SAFETY ZONES.** No vehicle shall be parked between a safety zone and the adjacent curb or within 15' of a point on the curb immediately opposite the end of a safety zone unless a different distance is clearly indicated by an official sign or marker or parking meter.

(9) **SCHOOL ZONES.** No vehicle shall be parked upon the near side of a through street adjacent to a school during hours when school is in session.

(10) **DRIVEWAY ENTERANCES.** No vehicle shall be parked within 4' of the entrance of any public or private drive or driveway.

(11) **TERRACES AND SIDEWALKS.** No vehicle shall be parked on any terrace area or across a sidewalk.

(12) **NIGHT PARKING.** (Amd. GO 56-04)

(a) **Prohibition.** Except as otherwise provided in this section, no vehicle shall be parked on any City street between the hours of 3:00 A.M. and 5:00 A.M.

(b) **Exception.** A person may park a motor vehicle on a City street between the hours of 3:00 A.M. and 5:00 A.M. only under the following circumstances:

1. Parking Division approval is received prior to 2:00 A.M. or as soon as possible after the circumstance justifying the parking arises.

2. Approval will only be granted in certain exceptional instances; namely disabled vehicles, lot/driveway construction, houseguests, or other emergency situations for periods of up to two calendar weeks.

3. Prior Parking Division approval is required for each day the vehicle will be parked on the street between 3:00 A.M. and 5:00 A.M., unless blanket authorization is granted by the Parking Division Manager.

(13) RESIDENTIAL PARKING DISTRICTS. No vehicle shall be parked in a residential parking district unless the vehicle displays a valid resident's or visitor's permit or the vehicle is a service vehicle and its occupants are actively rendering service to residents in the area.

(14) STREET MAINTENANCE OR SNOW REMOVAL AREAS. No vehicle shall be parked in any area which is marked with a sign indicating said area is to be left vacant for the purpose of street maintenance or snow removal.

(15) BLOCKING EGRESS. No vehicle shall be parked in any parking facility in such a manner as to inhibit proper ingress and egress to such lot or on any service lane, access lane, aisle, or pedestrian walk within such lot.

(16) SETBACK AREAS. No vehicle shall be parked in a setback area, as defined in Chapter 13, Green Bay Municipal Code, unless such parking occurs on a driveway in a manner consistent with other provisions of this Chapter and Chapter 13, Green Bay Municipal Code.

(17) PARKING CONTRARY TO POSTED SIGN. No vehicle shall be parked contrary to any officially posted sign or marking.

(18) DESIGNATED SPACES. Where individual parking spaces are marked on the curbing or pavement, every vehicle shall be parked entirely within the limits of the space so designated.

(19) HOODED METERS. No vehicle shall be parked in any space adjacent to a parking meter while such meter is hooded or otherwise officially marked indicating that the space is not available for use by the general public.

29.204 CLASS "C" PARKING VIOLATIONS.

(1) FIRE HYDRANTS. No vehicle shall be parked within 10' of a fire hydrant.

(2) TOW AWAY ZONES. No vehicle shall be parked in an area designated as a tow away or no stopping/standing zone.

(3) HANDICAPPED CURB RAMPS. No vehicle shall be parked so as to obstruct access to or from any handicapped curb ramp.

(4) SNOW EMERGENCY ZONE. No vehicle shall be parked in a snow removal zone or in any other area which the Chief of Police has designated as an emergency no parking zone.

(5) TRESPASS PARKING. No vehicle shall be parked on private property that is not otherwise open for use by the public without the consent of such property owner.

(6) **PARKING WITHOUT CONSENT.** No vehicle shall be parked on public or private property without the express or implied consent of the property owner.

(7) **PARKED IN PROHIBITED RAMP SPACES.** No person holding an active and valid access pass for a City-owned parking facility shall park in any stall or parking bay marked "No Monthly Parkers This Bay."

29.205 CLASS "D" PARKING VIOLATIONS.

(1) **NIGHT PARKING FOR HEAVY VEHICLES.** No vehicle requiring a license which exceeds 10,000 pounds, having a curb weight of 10,000 pounds or greater, or commonly referred to as a "semi-tractor," "semi-trailer," or "tractor/semi-trailer" combination shall be parked on any City street between the hours of 3:00 A.M. and 5:00 A.M.:

29.206 CLASS "E" PARKING VIOLATIONS.

(1) **DISABLED PARKING SPACES.** No vehicle shall be parked upon any portion of a street, highway, or parking facility reserved for handicapped persons by official traffic signs, distinct markings, or parking meters indicating the restriction, unless such parking is permitted under Sec. 346.05, Wis. Stats.

29.207 TOWING OF MOTOR VEHICLES.

(1) **AUTHORITY TO TOW.** Notwithstanding the provisions of Sec. 342.40, Wis. Stats., and Sec. 29.510, Green Bay Municipal Code, whenever a traffic officer finds a motor vehicle upon any street, alley, or parking facility which is so situated as to constitute an emergency under subsection (2) or situated in a parking facility or on private property in violation of subsection (3), said officer is authorized to order the towing and removal of said vehicle under the provisions listed in subsection (4).

(2) **EMERGENCY SITUATION.** A traffic officer may exercise the authority under subsection (1) whenever a motor vehicle is parked:

(a) In such a manner as to impede the free flow of traffic on any street or so as to constitute a traffic hazard.

(b) In a posted tow away or no stopping/standing zone.

(c) In a snow emergency or snow removal zone.

(d) In such a manner as to block ingress and egress to any parking facility or private drive.

(e) In any manner as to obstruct the movement of any emergency vehicle.

(f) In such a manner as to impede access to any emergency fire or safety equipment.

(3) **TOWING ON PRIVATE PROPERTY OR PARKING FACILITY: NON-EMERGENCY SITUATION.** Whenever a motor vehicle is parked on private property or in a parking facility contrary to a sign, in a space reserved for another use or individual, or against the consent of the person in ownership or control over said property, an officer may act under subsection (1) upon verifying the complaint with the owner or person in control.

(4) **TRAFFIC OFFICER PROCEDURES.** Whenever an officer chooses to exercise the authority under subsection (1), the officer must:

(a) Issue a parking citation pursuant to Sections 29.202 through 29.206, Green Bay Municipal Code.

(b) Immediately after the towing of said vehicle, or as soon thereafter as is reasonably possible, the traffic officer shall make a reasonable attempt to inform the registered owner:

1. Of the location of the vehicle.

2. Of the right to regain possession of the motor vehicle upon payment of the reasonable storage and towing fees.

(5) **RELEASE OF IMPOUNDED VEHICLES.** Any motor vehicle impounded under this subsection shall be released to the registered owner of such vehicle upon payment of reasonable towing and storage fees.

29.208 INDEX OF REGULATED PARKING AREAS. (Amd. GO 30-03) The location of all parking regulations and restrictions adopted by ordinance by the Common Council shall be as listed in the Index of Regulated Parking Areas of the City of Green Bay, which is adopted by reference as though fully set forth in this chapter. The official copy of the Index of Regulated Parking Areas shall be on file in the office of the City Traffic Engineer, who shall keep the same current at all times by such revision as is required by additions, deletions, and amendments adopted by the Common Council by ordinance from time to time. The City Traffic Engineer shall provide and maintain copies of the Index of Regulated Parking Areas for the offices of the Parking Division, City Attorney, Police Department, Municipal Court, and City Clerk.

29.209 CONTESTING PARKING CITATIONS. Any person wishing to contest a parking citation shall appear in person during business hours at the Parking Division office within 30 days of the citation or within the time specified in the citation or notice and provide any information deemed reasonably necessary by the Division. The Division shall promptly forward all contested citations to Municipal Court

29.210 AUTHORITY TO ISSUE PARKING CITATIONS. In addition to those persons authorized to issue citations by Sec. 40.12, Green Bay Municipal Code, the Brown County Sheriff is authorized to issue citations for parking violations occurring in a county parking lot. The Brown County Sheriff may delegate that authority, upon the approval of the Chief of Police, to persons in the Brown County Sheriff's Department.

29.211 PENALTIES FOR PARKING VIOLATIONS. (Amd. GO 50-03) A violation of the parking provisions in this chapter shall result in the following forfeitures and be subject to the following procedures:

(1) **Payment or Contest within Five Days.** If payment or notice to contest is provided to the Parking Division within five calendar days after the violation, the penalty shall be:

(a) (Amd. GO 39-08), (Amd. GO 1-15) Fifteen dollars (\$15) for a violation of Sec. 29.202, Green Bay Municipal Code (Class "A" Parking Violations).

(b) (Amd. GO 1-15) Twenty-five dollars (\$25) for a violation of Sec. 29.203, Green Bay Municipal Code (Class “B” Parking Violations), or any other parking violation not specifically enumerated in Sections 29.202 through 29.205, Green Bay Municipal Code.

(c) (Amd. GO 1-15) Thirty-five dollars (\$35) for a violation of Sec. 29.204, Green Bay Municipal Code (Class “C” Parking Violations).

(d) (Amd. GO 2-16) One Hundred Dollars (\$100) for a violation of Sec. 29.205, Green Bay Municipal Code (Class “D” Parking Violations).

(e) (Amd. GO 26-16) One Hundred Fifty dollars (\$150) for violation of Sec. 29.206, Green Bay Municipal Code (Class “E” Parking Violations).

(2) Payment after First Notice. (Amd. GO 1-15) If the citation is not contested or paid within five days, the Division shall send by first class mail a notice to the registered owner including all relevant information. If the citation is paid or contested after the first notice has been mailed, but before the final notice is mailed, five dollars (\$5) shall be added to the amount due pursuant to subsection (1).

(3) Payment after Final Notice. (Amd. GO 1-15) If the citation is not contested or paid within 21 days of the date of the citation, the Division shall, by first class mail, send a final notice to the registered owner of the vehicle including all relevant information. If the citation is paid or contested after the final notice is mailed, fifteen dollars (\$15) shall be added to the amount due pursuant to subsection (1).

(4) Suspension of Registration. If the person does not pay the forfeiture or contest the citation within 30 days after the citation is issued, or another date specified in the citation or subsequent notice, the Division may notify the Department of Motor Vehicles to suspend the registration of the vehicle or refuse registration of any vehicle owned by the person alleged to be in violation.

(5) Court Costs. The Municipal Court may add the court costs established pursuant to Common Council action to any parking violation contested pursuant to Sec. 29.208, Green Bay Municipal Code.

(6) Other Action. In addition to or in lieu of the procedures set above, the Division may proceed in any manner provided by law to effectuate the prosecution of outstanding parking citations.

SUBCHAPTER III TRAFFIC REGULATIONS

29.301 PARK AND RECREATION SPEED ZONES. Pursuant to Sec. 346.57(4)(i), Wis. Stats., the speed limit on City streets within, contiguous to, or adjacent to all public parks or recreation areas shall be 15 miles per hour when children are going to and from or playing within such areas and when such areas are properly marked with official traffic control devices installed at such points as the Traffic Engineer deems necessary.

29.302 STOP SIGNS AT ARTERIAL HIGHWAYS. Stop signs shall be placed on all non-arterial roads at intersections with arterials unless otherwise specified.

29.303 HEAVY TRAFFIC ROUTES. (1) **REGULATION ON WEIGHT.** (a) When using streets to travel through the City, all heavy traffic having a combined weight of vehicle and load in excess of 10,000 pounds shall operate only on Federal, State, and County marked highways.

(b) All heavy traffic other than through traffic having a combined weight of vehicle and load in excess of 10,000 pounds, but not greater than the State maximum load for such vehicle, shall use the City heavy traffic routes. For the purposes of obtaining, moving, or delivering supplies, commodities, or equipment, any such vehicle may deviate from the heavy traffic route only if such vehicle travels between the City heavy traffic route and its destination by the shortest, most practicable route available.

(c) The Director of Public Works may reduce the load limit on any of the streets of the City heavy traffic routes when it is determined the condition or construction of the street warrants such reduction.

(2) **HEAVY TRAFFIC ROUTES TO BE MARKED.** Those City heavy traffic routes set forth under sub. (1) not a part of the Federal, State, and County marked system shall be marked with signs indicating such streets are a part of the City heavy traffic routes. Whenever the maximum load has been reduced by the Director of Public Works, signs shall be installed indicating the maximum load possible.

(3) **VEHICLES EXEMPT.** (Amd. GO 25-08) This section shall not apply to vehicles owned by Federal or State governments, school districts or political subdivisions thereof, when engaged in official functions.

(4) **COMPRESSION BRAKING.** (Cr. GO 11-04) Compression braking is prohibited on all streets within the corporate limits of the City of Green Bay, except in emergency situations.

29.304 RAILROAD CROSSINGS. No railroad train or locomotive shall run over any public traveled grade crossing within the City, except where gates are operated or a flagger is stationed. If the railroad train or locomotive is operated by remote control, then the flagger must be someone other than the remote control operator.

29.305 SCHOOL BUS WARNING LIGHTS. Notwithstanding Sec. 346.48(2)(b), Wis. Stats., the operator of a school bus in a residential or business district shall activate the flashing red warning lights at least 100 feet before stopping to load or unload pupils or other authorized passengers at a location at which there are no traffic signals and such persons must cross the street or highway before being loaded or after being unloaded. Said lights shall not be extinguished until loading or unloading is completed and the persons who must cross the highway are safely across.

29.306 DISORDERLY CONDUCT WITH A MOTOR VEHICLE.

(1) **PROHIBITED.** No person shall cause or provoke disorderly conduct with a motor vehicle or cause a disturbance or annoy one or more persons within the City by use of any motor vehicle, including, but not limited to, an automobile, truck, motorcycle, minibike, or snowmobile.

(2) **DEFINITION.** Disorderly conduct with a motor vehicle means engaging in violent, abusive, unreasonably loud, or otherwise disorderly conduct, including, but not limited to, unnecessary, deliberate, or intentional spinning of wheels, squealing of tires, revving of engine, blowing the horn, causing the engine to backfire, or causing the vehicle, while commencing to move or in motion, to raise one or more wheels off the ground.

29.307 INDEX OF TRAFFIC REGULATIONS. (Amd. GO 31-03) The location of all traffic regulations and restrictions adopted by ordinance by the Common Council shall be listed in the Index of Traffic Regulations of the City of Green Bay, which is adopted by reference as though fully set forth in this chapter. The official copy of the Index of Traffic Regulations shall be on file in the office of the City Traffic Engineer, who shall keep the same current at all times by such revision as is required by additions, deletions, and amendments adopted by the Common Council by ordinance from time to time. The City Traffic Engineer shall provide and maintain copies of the Index of Traffic Regulations for the offices of the Municipal Court, City Attorney, Police Department, and City Clerk.

29.308 MUFFLERS, PREVENTION OF NOISE. (Cr. GO 26-08)

(1) **DECLARATION OF FINDINGS AND POLICY.** Excessive noise from motor vehicles is a serious hazard to the public health and welfare, safety, and quality of life. The people have a right to and should be ensured of an environment free from excessive noise that may jeopardize their health or welfare or safety or degrade the quality of life. Therefore, it is the policy of the City of Green Bay to prevent excessive noise which may jeopardize the health and welfare or safety of its citizens or degrade the quality of life.

(2) Any person or owner is prohibited from creating or allowing any unreasonably loud, disturbing, and unnecessary noise. Noise of such character, intensity, or duration as to be detrimental to the life or health of any individual, or in disturbance of the public peace and welfare, is prohibited. The use of any automobile, motorcycle, streetcar or vehicle so out of repair or in such manner as to cause loud and unnecessary grating, grinding, rattling, or other unreasonable noise is prohibited.

(3) Every motor vehicle shall, at all times, be equipped with a muffler in good working order and in constant operation to prevent excessive or unreasonably loud noise, smoke or flame; and no person or owner shall operate or allow to be operated a motor vehicle upon the streets and highways of this city which is not so equipped or which is equipped with a muffler cutout, bypass, or any similar device. A muffler is defined as a device consisting of a series of chambers or other mechanical devices for the purpose of receiving exhaust gases from an internal combustion engine which is designed for the purpose of breaking up the sound tones and the diffusion of smoke and flame emitting therefrom.

(4) No person shall, nor shall the owner allow any person to, operate a motorcycle manufactured after December 31, 1982, that is not equipped with an exhaust muffler bearing the Federal EPA required labeling applicable to the motorcycle's model year, as set out in the Code of Federal Regulations Title 40.

(5) (Cr. GO 38-09) No person shall sell, give away for use upon, install or cause the installation to be made, or use upon any licensed motor vehicle operated on a highway in the City of Green Bay, any type of muffler or other device that will modify the exhaust system of a motor vehicle in any manner so as to amplify or increase the noise emitted by the motor of such motor vehicle to the point where it becomes excessive or unreasonably loud.

(6) ENFORCEMENT AND PENALTIES.

(a) An enforcement officer may issue a citation for any violation of this section if the enforcement officer witnesses the violation or receives a sworn, written complaint from at least one witness of the excessive or unreasonably loud noise, subject to the owner refusing or neglecting to allow the vehicle from being inspected by the Police Department.

(b) Any person who violates any provision of this section shall forfeit not more than \$500.

29.309 IMPOUNDMENT AND SEIZURE OF LOUD DEVICES AND VEHICLES. (Cr. GO 34-10)

(1) DEFINITIONS. For the purposes of this ordinance, the following terms or phrases shall have the meanings below:

(a) “Noise violation” shall mean a violation of:

1. § 29.101, Green Bay Municipal Code, adopting § 346.94(16), Wis. Stats., or
2. § 29.101, Green Bay Municipal Code, adopting § 346.945, Wis. Stats.

(b) “Sound-producing device” shall mean a radio, electric sound amplification device, or any other sound-producing device.

(2) DEVICE IMPOUNDMENT. At the time of issuing a citation for a noise violation, the issuing officer may impound the sound-producing device used in the commission of the noise violation if the person charged with such violation is the owner of the sound-producing device and has two or more prior convictions of a noise violation within a three-year period. Upon disposition of the citation for a noise violation, payment of any forfeiture imposed and request by the rightful owner of the sound-producing device impounded under this subsection, the device shall be returned to the requester.

(3) DEVICE SEIZURE. At the time of issuing a citation for a noise violation, the issuing officer may seize the sound-producing device used in the commission of the noise violation if the person charged with such violation is the owner of the sound-producing device and has three or more prior convictions of a noise violation within a three-year period. Upon disposition of the citation for a noise violation, payment of any forfeiture imposed and request by the rightful owner of the sound-producing device impounded under this subsection, the device shall be returned to the requester unless disposed of in the following manner:

(a) Within 30 days after the seizure of the property or the date of conviction, whichever is earlier, the city attorney may commence an action to forfeit the device to the city by filing a summons, complaint and affidavit of the person who seized the device with the Clerk of Brown County Circuit Court and, within 90 days after filing, serve authenticated copies of those papers upon the person from whom the property was seized.

(b) Upon service of an answer, the action shall be set for hearing within 60 days of the service of the answer but may be continued for cause or upon stipulation of the parties. If no answer is served, the court may render a default judgment.

(c) The city shall have the burden of satisfying or convincing to a reasonable certainty by the greater weight of the credible evidence that the sound-producing device was used in the commission of a noise violation.

(d) No liability is imposed by this ordinance upon any authorized law enforcement officer or employee engaged in the lawful performance of duties.

(4) **VEHICLE IMPOUNDMENT.** If the sound-producing device may not be easily removed from the vehicle and the vehicle is owned by the person charged with the noise violation, the issuing officer may impound the vehicle for not more than five working days to permit the city, or its authorized agent, to remove the sound-producing device. After removal of the sound-producing device from an impounded vehicle, and after the owner of the vehicle has paid the cost of impounding the vehicle and removing the sound-producing device, the vehicle shall be returned to its rightful owner.

(5) **ABANDONED DEVICE OR VEHICLE.** Any impounded vehicle which has remained unclaimed for a period of 90 days after disposition of the citation shall be disposed following the procedure for an abandoned vehicle under § 342.40, Wis. Stats. Any impounded sound-producing device shall be disposed of by public auction if it has:

- (a) Remained unclaimed for a period of 90 days after disposition of the citation, or
- (b) Been forfeited to the city under sub. (3).

(6) **INAPPLICABLE TO MOTORCYCLES.** This ordinance does not apply to a sound-producing device on a motorcycle.

SUBCHAPTER IV BICYCLES

29.401 REGISTRATION.

(1) **REQUIRED.** No person shall keep a bicycle in the City of Green Bay unless the bicycle is registered in their name and has displayed thereon its registration tag issued by the Green Bay Police Department. This paragraph shall not apply to bicycles that are:

- (a) customarily kept in and properly licensed by another municipality;
- (b) kept in a store for sale;
- (c) kept temporarily in a store or shop for repair.

(2) **APPLICATION.** Applications for registration shall be made by the owner on forms provided by the Green Bay Police Department or representatives thereof designated by the City of Green Bay Chief of Police. Applications shall contain the name, age, and address of the owner; a description of the bicycle; the bicycle's serial number; and other information as the Chief of Police deems reasonably necessary to effectuate the purposes of this section. If a bicycle has no serial number, the Green Bay Police Department shall assign one to it.

(3) **TAG ISSUANCE.** The Green Bay Police Department shall issue a bicycle-registration tag upon receipt of a completed application. The registration tag shall be nonexpiring for the owner listed on the application. The Green Bay Police Department shall keep a record of each registration tag issued, specifying the date of issuance, name of owner, and tag number. The Green Bay Police Department shall keep on file a copy of the bicycle registration tag application.

(4) **TAG REQUIRED.** No bicycle shall be considered registered unless a valid registration tag is visibly affixed to the frame of the bicycle.

(5) TAG REMOVAL. No person shall remove a registration tag from a bicycle except upon issuance of a new tag for the bicycle or at the direction of the Green Bay Police Department.

(6) CHANGE OF ADDRESS. The owner of a bicycle registered with the Green Bay Police Department shall notify the Green Bay Police Department of any change of address within 30 days of the change.

(7) ABANDONED BICYCLES. No person shall retain possession of a bicycle found abandoned within the City unless the Green Bay Police Department is notified by the custodian within 24 hours of the time of discovery.

29.402 EQUIPMENT REGULATIONS.

(1) LAMPS AND REFLECTORS. Every bicycle operated between 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 with a reflector on the rear visible at a distance of 500 feet. The reflector shall not be less than 2" in diameter. A lamp on the rear exhibiting a red light may also be used.

(2) SEATS FOR ADDITIONAL PASSENGERS. The operator of a bicycle shall not carry another person on the bicycle unless the bicycle has been specifically designed to carry more than one person and has a separate seat, separate pedals, and separate handlebars for each additional occupant. The only exception to this paragraph shall be to permit more than one person on a bicycle if the operator of the cycle is 16 years of age and older and the passenger is not more than seven years of age and is riding in a carrier which is equipped as follows:

- (a) Foot stirrup with spoke shields.
- (b) Arm rests.
- (c) Strap going around the waist of the child.
- (d) Firm seat and back.
- (e) Attachment to frame a three points with bolts or nuts.

(3) SAFE CONDITION. Bicycles that are not mechanically safe shall not be operated on the streets of the City.

29.403 REGULATION OF BICYCLE OPERATION. In addition to those provisions of the Wisconsin Statutes applicable to the operation of bicycles, the following regulations shall apply.

(1) CLINGING TO OTHER VEHICLES. No person riding upon a bicycle shall cling to or attach himself/herself or a bicycle to any moving vehicle.

(2) CONTESTS WITH OTHER VEHICLES. No person operating a bicycle shall participate in any race, speed, or endurance contest with any other moving vehicle on a City street.

(3) **STUNT RIDING.** No rider of a bicycle shall practice any fancy or acrobatic riding or stunts while operating such bicycle.

(4) **NOT TO OBSTRUCT TRAFFIC.** The rider of a bicycle shall ride as near as practicable to within five feet of the right-hand curb or edge of the roadway, except when passing another vehicle or making a left-hand turn; and when riding in groups, bicyclists shall ride in single file, except on residential streets which are not divided by painted or other marked extra lines where they may ride two abreast. On one-way roads, the rider may ride as near as practicable to within five feet of the left-hand curb or edge of the roadway.

(5) **PARKING.** 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.

(6) **TRAFFIC SIGNALS AND SIGNS.** All bicyclists shall obey arterial highway signs and automatic traffic signs.

(7) **WHERE PROHIBITED.** No bicycle shall be operated on a street where prohibited by official signs. In addition to such marked areas, no bicycle shall be operated on the following streets under any circumstances:

(a) Mason Street (Tilleman Bridge) from the intersection of Tenth Avenue to Jackson Street.

(b) Ashland Avenue from the intersection of Ninth Street to Third Street.

(8) **BICYCLE ROUTE.** East Shore Drive from its intersection with Circle Street to Nicolet Road is designated as a bicycle route.

(9) **RIDING ON SIDEWALKS.** (Rep. & Rec. GO 8-08) Bicyclists shall be permitted to ride bicycles on sidewalks in residential areas, providing they yield to pedestrians.

(10) **AGE LIMITS.** No person less than eight years of age shall operate a bicycle on City streets, except that persons six or seven years of age may operate a bicycle on City streets during daylight hours if accompanied by an adult also on a bicycle, the child's bicycle to be registered in the parent's name. This paragraph is intended to permit family cycling.

(11) **TOWING OF PERSONS AND VEHICLES PROHIBITED.** (Amd. GO 8-08) The operator of a bicycle shall not tow, drag, or cause to be drawn behind the bicycle any coaster, sled, toy vehicle, person on roller skates, or any other type of conveyance, except for bicycle trailers specifically designed and intended for such use.

(12) **BICYCLE TRAILERS.** The use of bicycle trailers specifically designed and intended for such use is permitted. No such trailer may be used in the transport of passengers unless all of the following apply:

(a) The trailer is specifically designed and manufactured by a company engaged in producing such trailers for resale and intended for transporting passengers.

(b) The trailer is attached to the bicycle by means of a secure hitch sufficient to support and pull the trailer. Such hitch shall be supported by a backup safety chain or device, which shall function in the event of failure of the hitch.

(c) The trailer is equipped with two red rear reflectors and one yellow side reflector on each side, all of which shall be visible for 600 feet to the rear or sides when directly in front of lawful lower beams of head lamps of motor vehicles.

(d) The trailer is equipped with safety belts sufficient to restrain all passengers carried therein. No passenger may be towed who is not secured by such belt.

(e) The trailer is used in accordance with the manufacturer's specifications with particular regard to maximum weight load.

(f) The trailer is designed in such a manner as to allow for the safe operation of the bicycle.

(g) The trailer is equipped with at least two wheels, one on either side of the passenger(s). The wheels shall be supported by an axle or axles of sufficient strength to support the weight load.

(h) The operator of the bicycle shall be responsible for compliance with all the regulations stated above.

(13) **PASSENGERS.** No passenger shall be permitted to ride in a child bicycle seat or a bicycle trailer unless the passenger is wearing a bicycle helmet or other head protection sufficient to protect the passenger's head from impact in the event of a collision, rollover, or other mishap. It shall be the duty of the bicycle operator to comply with this section.

(14) **OPERATOR AGE REQUIREMENTS.** No person under the age of 16 years shall operate a bicycle to transport passengers in a trailer as permitted in subsection (13). No passenger may be carried by an operator of any age on a bicycle not designed or intended for the use of carrying passengers.

(15) **HEADPHONES PROHIBITED.** No bicycle operator shall wear headphones or earphones covering both ears while operating a bicycle.

29.404 MOTOR BICYCLES. No bicycle to which a motor has been added to form a motor driven cycle shall be operated on the streets with more than one person thereon.

SUBCHAPTER V MISCELLANEOUS REGULATIONS

29.501 JAYWALKING.

(1) **PROHIBITION.** Violation of any of the following regulations shall constitute jaywalking:

(a) Pedestrians shall yield right-of-way to vehicles proceeding directly ahead on a green indication or at the direction of a traffic officer.

(b) Pedestrians shall yield the right-of-way to all vehicles upon the roadway when crossing a roadway at any point other than within a marked or unmarked crosswalk.

(c) When walking along or upon a highway other than a sidewalk, pedestrians shall walk on and along the left side of the highway and upon meeting a vehicle, step to the extreme outer limit of the traveled portion of the highway if practicable.

(d) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is difficult for the operator of the vehicle to yield.

(e) Pedestrians shall not cross a street within one-half block of a controlled intersection or marked crosswalk at any point other than at a crosswalk.

(f) Pedestrians shall not initiate a crossing at a controlled intersection at any time other than when facing a green or "walk" indication or when so instructed by a traffic officer.

(2) CONTROLLED INTERSECTION DEFINED. A controlled intersection is any intersection at which electric stop and go vehicular or pedestrian control signals have been installed.

29.502 SNOWMOBILE REGULATIONS.

(1) PUBLIC PROPERTY RESTRICTIONS. No person shall operate a snowmobile on the following publicly-owned property:

- (a) Packerland Industrial Park.
- (b) Lambeau Field and the Lambeau Field parking area.
- (c) Public parks, unless otherwise designated by the Park Committee.
- (d) Schools and school playgrounds.
- (e) Sidewalks.

(2) PRIVATE PROPERTY RESTRICTIONS. No person shall operate a snowmobile on any private property not owned or controlled by him/her within the City without the written consent or permission of the owner.

29.503 OBSTRUCTION OF CROSSING BY TRAINS.

(1) LIMITED. No person having charge of any railroad car, engine, or tender or any railroad in the City shall permit any railroad car, engine, or tender under such person's control or charge to operate, stand, or remain in any street crossing in the City or across or in front of any bridge belonging to the City so as to obstruct the free passage of traffic along such street or bridge and across such railroad track more than five minutes at any one time.

(2) DEFINED. A street crossing shall be deemed blocked when kept closed to traffic by the acts of the railroad, its agents, or employee in permitting the operation of one train through or on a street crossing, by the operation of gates or by the operation of more than one train over a street crossing for longer than the specified five-minute period without allowing a two-minute interval for the movement of traffic. If two railroads are involved, the one occupying the street crossing at the time the five-minute limit is exceeded shall be deemed in violation of this section.

29.504 SKATEBOARD REGULATIONS.

(1) No person shall operate, ride, or propel a skateboard on any portion of public property stated in this subsection.

(a) Any City street.

(b) Any City street, sidewalk, or other public property located within the following areas:

1. The area encompassed by the south shore of the East River as a northern boundary, the east curb line of Monroe Avenue extended as an eastern boundary, the south curb line of Doty Street extended as a southern boundary, and the east shore of the Fox River as a western boundary.

2. The area encompassed by the southern edge of the sidewalk portion of the West Walnut Street right-of-way as a southern boundary, the east curb line of North Maple Avenue as a western boundary, the northern edge of the sidewalk portion of the Dousman Street right-of-way as a northern boundary, and the western shore of the Fox River as an eastern boundary.

(c) Any and all City-owned parking ramps and parking lots wherever located.

(2) **SKATEBOARDERS TO YIELD.** Except as provided in (1), skateboarding is permitted on publicly-owned sidewalks provided that pedestrians shall have right-of-way over skateboarders. Skateboarders shall dismount when meeting or overtaking pedestrians and shall either discontinue skateboarding or walk the skateboard past the pedestrian in such a manner as to insure the safety of both the skateboarder and pedestrian.

(3) **PRIVATE PROPERTY.** It shall be unlawful for any person to skateboard on the private driveway or paved parking lots of another unless said skateboarder has first obtained permission from the homeowner or person in control of said property. A citation may be issued only upon complaint by the property owner or person in control of the property.

29.505 IN-LINE SKATE REGULATIONS.

(1) **STATE LAWS APPLICABLE.** Every person using in-line skates upon a public roadway shall be subject to the provisions of all ordinances and State laws applicable to the operator of any vehicle, except those provisions with reference to equipment of vehicles and those provisions that, by their nature, would have no application.

(2) **PUBLIC SIDEWALKS OR WALKWAYS.** Every person using in-line skates upon a sidewalk or walkway shall yield the right-of-way to any pedestrian and shall exercise due care when passing any other person.

(3) **RIDING ON ROADWAY.**

(a) Every person using in-line skates on a two-way public street or alley shall keep as close to the right-hand curb as possible and shall proceed with traffic. Every person using in-line skates upon a one-way public street or alley shall proceed in the direction of the one-way traffic.

(b) Every person using in-line skates upon a roadway shall ride single file on all public roadways which have center lines or have lines indicated by painting or other markings. On public roadways and alleys not divided by painted or other marked center lines or lane lines, in-line skaters may ride two abreast.

(c) Persons using in-line skates upon a public roadway shall not impede the normal and reasonable movement of motor vehicle traffic.

(4) **CLINGING TO MOVING VEHICLES PROHIBITED.** It shall be unlawful for any person using in-line skates to cling to or attach to any bicycle or other moving vehicle upon a public roadway.

(5) **OBSERVANCE OF TRAFFIC REGULATIONS.** Every person using in-line skates upon a public roadway shall stop for all stop signs and traffic signals.

(6) **YIELDING TO TRAFFIC.** The operator of a vehicle shall yield the right-of-way to a user of in-line skates in the same manner as for bicyclists and pedestrians. When using in-line skates, every person shall, upon entering a public roadway, yield the right-of-way to motor vehicles, except that a person using in-line skates shall be subject to the same regulations as bicyclists and pedestrians.

(7) **PRIVATE PROPERTY.** It shall be unlawful for any person to in-line skate on the private driveway or paved parking lots of another unless said in-line skater has first obtained permission from the homeowner or person in control of said property. A citation may be issued only upon complaint by the property owner or person in control of the property.

(8) **EQUIPMENT REGULATIONS. Lamps and Reflectors.** Every person using in-line skates between one-half hour after sunset and one-half hour before sunrise shall be equipped with a lamp firmly attached to the front of such person exhibiting a white light to the front, and with a reflector on the rear visible at a distance of 500 feet. The reflector shall not be less than 3" in diameter. A lamp on the rear exhibiting a red light may also be used.

29.506 BOATING REGULATIONS. (Rep. & Rec. GO 21-07)

(1) **STATE STATUTES ADOPTED.** Sections 30.50 through 30.81, Wis. Stats., are adopted by reference and incorporated as though fully set forth.

(2) **SPECIAL RESTRICTIONS ON WATER SKIING.** No person shall operate a motor boat towing a person on water skis, or an aquaplane, or similar device; nor shall any person engage in water skiing, aquaplaning, or a similar activity on the waters of the Fox River. Persons or groups wishing to conduct any water exhibits or races, as defined by State Statutes or the Wisconsin Administrative Code, shall apply for a special permit issued by the City of Green Bay Police Department. Exceptions from the ordinance granted through the permitting process apply on the specific event days and times. These exceptions from the ordinance do not apply for practice times or dates.

(3) **SLOW-NO-WAKE SPEED ON EAST RIVER.** All nautical traffic on the East River, as it passes through the City of Green Bay from the fence marking the southern line extended to the University of Wisconsin Extension Center (southernmost point at which the East River flows through the City of Green Bay) to the point at which the river empties into the Fox River (1.28 miles south of the Bay of Green Bay) (northernmost point of the East River) shall travel at slow-no-wake speed.

(4) 15 MPH SPEED LIMIT ON THE FOX RIVER.

(a) (Amd. GO 6-11) All nautical traffic on the Fox River, as it passes through the City of Green Bay, shall travel no faster than 15 mph. This area shall be specifically described as from the mouth of the Green Bay up river to 3,810 feet south of the railroad bridge at Porlier Street within the riparian boundaries of the City of Green Bay.

(b) Exception. Nautical traffic shall travel at slow-no-wake speed on the entire length of the Fox River within Green Bay from sunset to sunrise (nighttime hours). Nautical traffic shall also travel at slow-no-wake speed throughout the following areas at all times:

1. From the mouth of the Bay to 800 feet north of the I-43 (Leo Frigo) Bridge as marked by control buoys or signs.

2. 1,900 feet south of the I-43 (Leo Frigo) Bridge to 2,900 feet south of the I-43 (Leo Frigo) Bridge as marked by control buoys or signs.

3. From where the Fox and East Rivers meet to 470 feet south of the Main Street (Nitschke) Bridge as marked by control buoys or signs.

4. (Amd. GO 6-11) Walnut Street Bridge to 500 feet north of the Mason Street (Tilleman) Bridge as marked by control buoys or signs.

5. 1,150 feet south of the railroad bridge at Porlier Street to 3,810 feet south of the railroad bridge at Porlier Street within the riparian boundaries of the City of Green Bay as marked by control buoys or signs.

(c) Slow-no-wake speed means the slowest possible speed at which steerage can be maintained.

(d) Control buoys or signs shall be placed so that nautical traffic is alerted to the **slow-no-wake** speed areas designated above.

(5) ENFORCEMENT This section shall be enforced by the City Police Department.

29.507 FAILURE TO PAY PARKING FEE.

(1) DEFINITIONS.

(a) Monthly Pass. Evidence of a monthly contract with the Parking Division or City of Green Bay that permits a vehicle to park in a specified space or area.

(b) Public Parking Facility. An area operated by the City of Green Bay or the Parking Division and offered to the public for the purpose of parking vehicles.

(c) Spitter Ticket. A ticket issued by a self-service machine located at the entrance of a parking facility where a parking fee is charged.

(2) PARKING FACILITIES WITH POSTED HOURLY OR DAILY RATES. It shall be unlawful for a person to fail to pay or pay less than the actual fee due for any vehicle using public parking facility. Prohibited acts under this section include, but are not limited to:

- (a) Obtaining or possessing more than one spitter ticket for each vehicle.
- (b) Selling, trading, buying, exchanging, duplicating, or counterfeiting spitter tickets.
- (c) Obtaining one or more spitter tickets while not operating or being a passenger in a vehicle entering a parking facility.
- (d) Operating an exiting vehicle and tendering to the cashier a spitter ticket issued at a time other than when the exiting vehicle actually entered the facility.

(3) **PARKING FACILITIES RENTED ON A MONTHLY BASIS.** The Parking Division rents space for motor vehicle parking on a monthly basis and issues a pass to allow one vehicle at a time to park in a public parking facility. It shall be unlawful to engage in any scheme, shift, device, or plan which results in the payment of less rent than is due to the Parking Division under this section. Prohibited acts under this section include, but are not limited to, using one monthly pass to park more than one vehicle at a time in a public facility.

29.508 OFF-ROAD MOTORIZED VEHICLE REGULATIONS.

(1) **DEFINITION.** An off-road motorized vehicle is defined as a vehicle not licensed for operation on highways, streets, or roadways by the State. For purposes of this section, an off-road motorized vehicle does not include: riding lawnmowers; garden tractors; agricultural equipment; golf carts and golf course maintenance equipment when operated on golf courses; equipment being directly used in construction, removal, renovation, or demolition of any property, or such equipment when in transit; any motor-driven or power-driven vehicles operated by employees of or incidental to the function of any federal, state, or municipal governmental body or any subdivision thereof; snowmobiles; and vehicles operated inside of buildings, power driven equipment actually being used in the manufacturing, processing, or warehousing or such equipment when in transit.

(2) **LICENSED VEHICLES.** All off-road motorized vehicles which are licensable under the vehicle code of this State may only be driven on public highways, streets, or roadways dedicated for public vehicular travel, and to and from any place of parking on private property by the shortest distance to such public highways, streets, or roadways.

(3) **PRIVATE PROPERTY.** No person shall operate an off-road motor vehicle in any residentially-zoned area within the City of Green Bay in the following manner:

- (a) In such a way and for such length of time as to substantially annoy, injure, or endanger the comfort, health, repose, or safety of the public.
- (b) At a rate of speed that is unreasonable or improper under the circumstances.
- (c) In any reckless manner so as to endanger the person or property of another.
- (d) While under the influence of an intoxicating liquor, fermented malt beverage, or controlled substances or drugs.
- (e) In such a way that the exhaust of the motor makes an excessive or unusual noise.

(f) Without a properly functioning muffler.

(g) On the private property of another unless the land owner of record is present.

(h) Between the hours of 9:00 P.M. and 9:00 A.M.

(4) PUBLICLY-OWNED PROPERTY. The operation of off-road motor vehicles is prohibited on all publicly-owned property in the City of Green Bay.

29.509 VEHICULAR TRESPASSING.

(1) PROHIBITION. No person may operate, park, stop, or leave standing a motor vehicle on private or public property contrary to a sign posted on such property.

(2) OWNER LIABILITY. The owner of a vehicle involved in a violation of sub. (1) shall be presumed liable for the violation as provided in this section. For the purposes of this section, "owner" shall have the meaning provided in Sec. 346.01(2), Wis. Stats.

(3) REPORT OF VIOLATION. A person in control of property, or his or her designee, who observes a violation of this section on such property may prepare a written report indicating that a violation has occurred. Such report shall include the time and location of the violation and the license number, color, and type of vehicle in violation. The report shall be delivered to the Police Department within 48 hours after observing the violation.

(4) DEFENSES. Defenses to the imposition of liability under this section include:

(a) That a report that the vehicle was stolen was given to a traffic officer before the violation occurred or within a reasonable time after the violation occurred.

(b) If the vehicle is owned by a lessor of vehicles and at the time of the violation the vehicle was in the possession of a lessee, and the lessor provides the Police Department with the information required under Sec. 343.46(3), Wis. Stats., then the lessee and not the lessor shall be liable under this section.

(c) If the vehicle is owned by a dealer; and at the time of the violation, the vehicle was being operated by or was under the control of any person on a trial run, and the dealer provides the Police Department with the name, address, and operator's license number of the person having the vehicle under his or her control on a trial run, then that person, and not the dealer, shall be liable under this section.

29.510 ABANDONED AND JUNK VEHICLES.

(1) PUBLIC STREETS AND PROPERTY. (Rep. & Rec. GO 20-06) No person shall leave any partially dismantled, non-operating, non-registered, wrecked, or junked vehicle on any street or highway within the City or on any public property within the City.

(2) PRIVATE PROPERTY. No person in charge or control of any property within the City, whether as owner, tenant, occupant, lessee, or otherwise, shall allow any partially dismantled, non-operating, wrecked, junked, discarded, or unlicensed vehicle to remain on such property within the City longer than 72 hours. This section shall not apply to a vehicle in an enclosed building, a vehicle on the premises of a

lawfully operated business enterprise involving the sale, dismantling, repair, or restoration of such vehicles, a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by or on behalf of the City, nor to a dismantled, non-operating vehicle which is licensed as an antique or collector's auto and which is actively being restored.

(3) **REMOVAL.** The Chief of Police, the Superintendent of Building Inspection, or any member of their departments designated by them may remove or have removed any vehicle left at any place within the City that, in their opinion, is in violation of this section.

29.511 **LOW-SPEED VEHICLES.** (Cr. GO 15-06; Amd. GO 37-10)

(1) **DEFINITIONS.**

(a) **Low-Speed Vehicle.** A motor vehicle 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. Low-speed vehicle does not include a golf cart.

(2) **LIMITATIONS.**

(a) **Where Low-Speed Vehicles May Operate.** Low-speed vehicles, authorized pursuant to §349.26, Wis. Stats., shall be allowed to operate on the public roads within the City of Green Bay subject to the following restrictions:

1. Low-speed vehicles shall not operate on any interstate highway or any other public road within the City of Green Bay where the speed limit exceeds 35 miles per hour.

2. (Cr. GO 12-08) Absent Department of Transportation approval, low-speed vehicles shall not operate on or cross intersections of State trunk highways within the City of Green Bay.

(3) **STATE DRIVER'S LICENSE AND REGISTRATION REQUIRED.** (Cr. GO 47-06)

(a) Any person who operates a low-speed vehicle on any City street must hold a valid State of Wisconsin driver's license.

(b) (Amd. GO 12-08) Any person who operates a low-speed vehicle on any City street must register the low-speed vehicle with the State of Wisconsin as required by State law.

29.512 **ALL-TERRAIN VEHICLE REGULATIONS.** Section 23.33, Wis. Stats., is adopted by reference and incorporated as though fully set forth herein.

**SUBCHAPTER IX
PENALTIES**

29.901 GENERAL PENALTY. Unless a specific penalty is provided for in this Chapter, a person violating a provision of this Chapter shall forfeit not less than \$1 nor more than \$500.

29.902 UNIFORM OFFENSES. Penalties for violation of any provision of the Wisconsin Statutes adopted by reference in this chapter shall conform to the penalties for violation of the comparable state offenses, including any variations or increases for second offenses, suspension of operating privileges, or other penalties.