

## CHAPTER VI

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# CHAPTER VI

## TRAFFIC

### 6.01 State Traffic Laws Adopted.

(A) State Traffic Laws Adopted. Except as otherwise specifically provided in this Ordinance, all provisions of Chapters 340 to 350 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 Ordinance as if fully set forth herein, to secure uniform statewide regulation of traffic on the highways, streets, and alleys of the State of Wisconsin.

(B) Other State Laws Adopted. There is also hereby adopted by reference the following section of the Wisconsin Statutes but the prosecution of such offense under this code shall be as provided in Ch. 340 to 350, Wis. Stats., and the penalty for violation thereof shall be limited to a forfeiture: Sec. 941.01(1) Negligent operation of vehicle off highway.

(C) The following Chapters of the Wisconsin Administrative Code are hereby adopted by reference:

Trans. 300 through Trans. 330  
MVD 3 Reciprocity--Nonresident Motor Carriers  
MVD 5 Standards for Motor Vehicle Equipment  
MVD 6 Transportation of Explosives by Motor  
Vehicles

(D) Reduced Speed Limits. Pursuant to Sec. 346.57(4)(i), the speed limit on Lewis Street located to the east of its intersection with North Mark Street, along with Saddlewood Court and Greenwood Court, all located in the Village of West Salem shall be fifteen (15) mph and shall be properly marked. (Ord. 453 - 8/06/13)

6.02 Through Streets and Highways Designated. The following streets or portions thereof are hereby designated through streets and highways and it shall be unlawful to fail to comply with any stop sign placed at the entrance to such through streets. There shall be no through traffic on any alley.

- (A) **WEST AVENUE** from the North line of Elm Street to the South line of Garland Street.
- (B) **YOULON STREET** from the North line of Garland Street to the South line of Hamlin Street.
- (C) **LEONARD STREET** from the North line of Garland Street to the South line of Hamlin Street.
- (D) **MILL STREET** from the North line of Jefferson Street to the South line of Hamilton Street.
- (E) **ELM STREET** from the West line of Oak Street to the West line of County Highway M.
- (F) **HAMILTON STREET** from the East line of West Avenue to the West line of Leonard Street.
- (G) **GARLAND STREET**
  - (1) From West Avenue North to the West line of Leonard Street.
  - (2) From the East line of Leonard Street to the East Village Limits.
- (H) **HAMLIN STREET**
  - (1) From the West line of Leonard Street to the South line of West City Highway 16.
  - (2) From the East line of Leonard Street to the West line of Mark Street.
- (I) **TILSON STREET** from the East line of Leonard Street to the West line of Mark Street North.
- (J) **JEFFERSON STREET** from Oak Street to the East Village Limits.
- (K) **MARK STREET** from the North line of East Avenue to the South line of Tilson Street.
- (L) **EAST AVENUE** from the East line of Leonard Street to the West line of Mark Street.

- (M) **PARK STREET** from Tilson Street North to its terminus at Lutheran School site.
- (N) **LINCOLN AVENUE** from the South line of Garland Street to the North line of Hamilton Street
- (O) **HARMONY STREET** from the South line of Garland Street to the North line of Hamilton Street.
- (P) **FRANKLIN STREET** from the East line of Griswold Avenue to the West line of West Avenue.
- (Q) **MILL STREET** from the South line of Garland Street to the North line of Hamilton Street.
- (R) **WEST AVENUE NORTH** from the North line of West City Highway 16 to the South line of Brickl Road.

**6.03 One-Way Traffic on Alleys.** Traffic on the following alleys shall be limited to one-way traffic:

(A) **From West to East:** The alley between Leonard and Mill Streets, bearing East from Leonard Street to the intersection of the North-South alley which runs North to Memorial Drive.

(B) **From East to West:** The alley between Leonard and Youlon Streets, bearing West from Leonard Street, to the intersection of the North-South alley which runs North to Hamilton Street.

(Ord. No. 471 - Revised 2/16/2016)

(Ord. No. 492 - Revised 9/17/2019)

**6.04 Establishment of Stopping, Standing, Turning and Directional Rules and Parking Time Limits.**

(A) **Establishment.** The Village Board shall have the authority, when the public interest, convenience, or necessity requires it, or when ultra-hazardous conditions occur at certain times of the day, to establish stop signs, yield signs, bus stops, speed limits, tow-away zones, turning rules, one-way streets or alleys, or to designate any portion of a street or alley as a No Stopping, No Standing, No Parking, or Loading Zone or to regulate Parking Time Limits of all types.

(B) **Designation/Posting.** The Village Board shall arrange for the erection of official signs and pavement or curb markings to designate such areas. Such designation shall be evidence of the regulation established by the Village Board. It shall be unlawful to fail to comply with said signs or pavement marking.

The Village Administrator is hereby authorized and directed to procure, erect, and maintain appropriate standard traffic signs, signals and markings conforming to the rule of the Highway Division, giving such notice of the provisions of this Ordinance, as required by State Law. Wis. Stats. 86.19. Wis. Admin. Code ss. Trans. 200, Aug. 1984.

(C) **Removal.** The Village Board shall have the authority granted by §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 Ordinance or §349.41, Wis. Stats. Any charge imposed on a premises 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.

#### 6.05 **Parking, Stopping, Standing.**

(A) **Key Left in Vehicle.** Every passenger motor vehicle shall be equipped with a lock suitable to lock either the starting lever, throttle, steering apparatus, gear shift lever, or ignition system. No person shall permit a motor vehicle in his or her custody to stand or remain unattended on any street, alley or in any other public place, except an attended parking area unless either the starting lever, throttle, steering system, gear shift lever, or ignition system of such vehicle is locked and the key for such lock is removed from the vehicle.

(B) **Business District at Night.** No vehicles shall be parked on the following streets: **LEONARD STREET** between Jefferson Street and Franklin Street; **MILL STREET** between Jefferson Street and Hamilton Street; **HAMILTON STREET** between Youlon Street and Mill Street; **MEMORIAL DRIVE**; including such named streets, between 3:00 a.m. and 5:00 a.m., excepting New Year's Eve. (ORD. 405)

(C) **Parking of Vehicles over 12,000 pounds Restricted.**

(1) No person owning or having control of any truck, trailer, truck power unit, motor home, camper, commercial

6.05(C)(1)

vehicles for hire, tractor, motor bus, recreation vehicle, or a combination of vehicles weighing in excess of Twelve Thousand (12,000) pounds gross weight, or over eighteen (18') feet in length, or having an enclosed area of a height of more than eight (8') feet from the roadway or more than eight (8') feet wide shall stop or leave standing the same on any Village street or highway except temporarily for the purpose of and while actually engaged in loading or unloading and while the vehicle is attended by a licensed operator so that it may be promptly moved in the case of an emergency or to avoid traffic obstruction.

(2) Semitrailers as defined in Wis. Stat. Sec. 340.01 shall not be stopped or left standing on any street or alley within the Village except temporarily for the purpose of and while actually engaged in loading or unloading and while the vehicle is attended by a licensed operator so that it may be promptly moved in the case of an emergency or to avoid traffic obstruction.

(3) Mobile Homes shall not be stopped or left standing on any street, right-of-way, or alley within the Village. See Section 11.04 of this Code for further restrictions.

(4) Motor homes, towable campers, open and enclosed utility trailers, and other trailers for boats, ATV/UTV's, snowmobiles, watercraft, farm equipment, and other items while unattached from a vehicle shall be allowed to stop or stand on Village streets, including all Village right-of-ways, for no more than forty-eight (48) hours in a seven (7) day period. It shall be unlawful to live in such campers, motor homes, or trailers for any length of time on a public street, right-of-way, or alley. All trailers, including campers, that are attached to a towing vehicle are subject to Village Ordinance 2.01(E)(3) and must be moved every forty-eight (48) hours. This Section does not apply to construction trailers complying with Ordinance 5.13 with an approved Street Privilege Permit. When alternate side parking rules are in effect, no unattached motor homes, towable campers, or trailers are allowed on any street or right-of-way within the Village.

(5) School buses shall not stop or stand on any street within the Village between 10:00 p.m. and 5:00 a.m., except temporarily for the purpose of and while actually engaged in loading or unloading and while the vehicle is attended by a licensed operator so that the bus may be promptly moved in

the case of an emergency or to avoid traffic obstruction. School buses may not stop or stand in any alley at any time.

(6) No wheeled vehicle or trailer of any type shall be stopped or left standing at any time on a Village street or alley which in its stopped or left standing state, including any load located thereon, creates an obstruction within the road right-of-way which is wider than eight feet. The only exception is there is no limitation for any municipal vehicle or public works equipment operated by or for the Village of West Salem or La Crosse County. **(6.05(C) revised per Ordinance 521 - 7.18.2023)**

**(D) Night Parking Alternate Sides of Street.** Between 1:00 a.m. and 6:00 a.m. vehicles shall be parked only on even numbered sides of streets on those nights with an even calendar date, and on odd numbered sides of streets on those nights with an odd calendar date from November 1 to April 1.

**(E) Night Parking Cul de Sacs.** Between 1:00 a.m. and 6:00 a.m. no vehicles shall be parked within the circular turn-around portion of any cul de sac from November 1 to April 1.

**(F) Alley Parking.** No person shall stop or leave any vehicle standing in any alley in a residence district, except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers and while the vehicle is attended by a licensed operator so that it may be promptly moved in the case of an emergency or to avoid traffic obstruction.

**(G) No Parking, Stopping, or Standing and Loading Zones.**

(1) (a) No person shall stop or leave standing any vehicle in a No Stopping, No Standing, or No Parking zone designated by an official sign and/or curb marking.

(b) No person shall stop or leave standing any vehicle not operated by a handicapped person as defined by Wisconsin law in a handicapped parking zone designated by official sign or parking space marking.

(c) No person shall stop or leave standing any vehicle in a fire hydrant zone designated by a no parking curb marking.

(d) Pursuant to a request of the West Salem School Board on 8/26/2013 and pursuant to Wis. Stat. Sec. 118.105, no vehicle, other than Fire Department, Law Enforcement, Ambulance, or First Responder vehicles, shall stop or be left standing in a fire lane located on public school property, which curb is marked with yellow paint and signage prohibiting parking.

(2) No person shall stop or leave standing any vehicle, whether attended or unattended, in a Loading Zone designated by an official sign and/or curb or pavement marking except temporarily for the purpose of and while actually engaged in the loading or unloading, or in receiving or discharging passengers or property.

(3)(a) **Parking/Stopping at Coulee Christian School area on Garland and Harmony Streets.** No person shall stop or leave standing any vehicle, including a school bus, except as provided in (b) herein, on the street along the curb lines measured from the intersection of North Harmony Street and West Garland Street described as:

On north side of West Garland Street Seventy-seven (77') feet west of center and One Hundred Ninety-four (194') feet east of center

On south side of West Garland Street One Hundred Thirty-seven (137') feet west of center and One Hundred Ninety-four (194') feet east of center

On North Harmony Street, both east and west side, Two Hundred Seventeen (217') feet south of center

On the east side of Youlon Street starting Two Hundred Thirty-two (232') feet south of center of Park Street and continuing Sixty-seven (67') feet, as measured from center of Park Street and North Youlon Street

On the west side of Youlon Street starting One Hundred Sixty-five (165') feet south of center of Park Street and continuing One Hundred Seventy-five

(175') feet, as measured from center of Park Street and North Youlon Street from 7:30 a.m. to 4:30 p.m., Monday through Friday, while school is in session.

**(b) School Bus Stopping and Unloading -Prohibition of Use of Flashing Red Warning Lights.** All school buses shall be allowed to load and unload pupils and other authorized passengers on the side of the street which borders the grounds of the Coulee Christian School on West Garland Street and the West Salem High School on East Hamlin Street from 7:10 a.m. to 3:30 p.m., Monday through Friday, while said Coulee Christian School and West Salem High School are in session, as follows:

On the north side of West Garland from the intersection on the center of North Harmony Street to a point One Hundred Ninety-four (194') feet east thereof

On the south side of Hamlin Street from its intersection with Mill Street to its intersection with Mark Street, a distance of Eleven hundred (1,100') feet

During such loading and unloading the use of flashing red warning lights by a school bus operator shall be prohibited.

**(4) Parking/Stopping at Christ St. John's Lutheran School.** No person shall stop or leave standing any vehicle in the street on the south side of Park Street from the west curb line of Youlon Street Eight Hundred (800') feet to the west thereof or on the north side of Park Street from the west curb line of Maple Street One Hundred Forty (140') feet to the west thereof from 7:15 a.m. to 3:30 p.m. on school days.

**(5) Parking/Stopping at West Salem Elementary School areas.**

(a) No person shall stop or leave standing any vehicle, including a school bus (except as noted in (b), on the street along the curb lines from 7:15 a.m. to

3:30 p.m., Monday through Friday, while the West Salem Elementary School is in session on the following streets:

**MARK STREET** on both sides from its intersection with Garland Street to Thirty-two (32') feet north of its intersection with Hamlin Street

**EAST AVENUE** on both sides east of its intersection with Mark Street for a distance of One (1) block

(b) A bus loading and unloading zone only shall be designated on the west side of North Mark Street starting One Hundred Twenty-eight (128') feet north of the center of East Avenue and continuing One Hundred Fifty-three (153') feet.

(6) **Parking/Stopping at West Salem Middle School.** No person shall stop or leave standing any vehicle in the street along the curb lines of East Avenue measured from the intersection of Mark Street a distance of Two (2) blocks from 7:15 a.m. to 3:30 p.m., Monday through Friday, while the West Salem Middle School is in session.

(7) **Parking/Stopping at West Salem High School.** No person shall stop, park, or leave standing any vehicle, other than unloading school bus or emergency vehicles, in the street along either the South or the North curb lines of Hamlin Street from its intersection with Mill Street to its intersection with Mark Street, a distance of One Thousand One Hundred (1,100') feet, from 7:15 a.m. to 3:30 p.m., Monday through Friday, while the West Salem High School is in session. **(Amended - Ord. 514 - 4.18.2023)**

(8) **Parking/Stopping at Coulee Region Christian School.** No person shall stop or leave standing any vehicle in the street along either the South or the North curb lines of Industrial Drive from its intersection with Neshonoc Road a distance of Five Hundred Forty-one (541') feet to the east, from 7:15 a.m. to 6:00 p.m., Monday through Friday, while the Coulee Region Christian School is in session. **(Created with Ord. No. 519 - 6.06.2023)**

(9) The West side of Youlon Street commencing Two Hundred (230') feet South of Hamilton Street, thence continuing for Sixty (60') feet South is designated as a fifteen (15) minute parking zone from 7:00 a.m. to 6:00 p.m. Monday through Friday. **(6.05(G) - deleted and replaced - Ord. 506 - 10.05.2021)**

(H) When signs or parking meters are erected in any block giving notice thereof, no person shall park or leave standing any vehicle for longer than the period hereinafter specified at any time between the hours of 8:00 a.m. and 5:00 p.m., except Sundays and the following holidays: New Year's Day, Memorial Day, 4<sup>th</sup> of July, Labor Day, Thanksgiving, and Christmas or between the hours of 5:00 p.m. and 9:00 p.m. on Fridays as hereinafter enumerated.

(I) **Limited Hourly Parking**

(1) **One-Hour Parking**. No person shall park or leave standing any vehicle at any time for more than one (1) hour at one time on the west side of Griswold Avenue from its intersection with West City Highway 16 South Two Hundred Thirty-nine (239') feet.

No person shall park or leave standing any vehicle at any time for more than one (1) hour at one time on the east side of Griswold Avenue starting One Hundred Fifteen (115') feet south and ending approximately Two Hundred Forty (240') feet south at the fire hydrant of West City Highway 16, on the east side of said Griswold Avenue.

(2) **Two-Hour Parking**. No person shall park or leave standing any vehicle at any time for more than two (2) hours at one time from 8:00 a.m. to 3:30 p.m., Monday through Friday, October 1 through June 1, along the curb lines on either side of North Mark Street from its intersection with Hamlin Street to its intersection with Tilson Street a total distance of Seven Hundred Thirty-two (732') feet or along any of the curb lines of Lark Lane a total of One Thousand Two Hundred Forty (1,240') lineal feet. Any person violating this subsection (I)(2) shall upon conviction thereof forfeit not less than Seventy-five (\$75.00) Dollars, and costs as assessed by the Court for each offense.

**(6.05(I)(2) created 8.20.2024 - Ord. 531)**

6.05(I)(3)

(3) **48-Hour Parking**. No vehicle shall be stopped or parked at any time for more than forty-eight (48) hours at one time on any public parking lot in the Village of West Salem. (Ord. 512 - 2/07/2023)

(J) **No Parking at Any Time**.

(1) No vehicle shall park or leave standing any vehicle at any time, other than for loading or unloading purposes, at the following places:

The north side of Memorial Drive from Mill Street to alley west.

The west side of Oak Street from Franklin Street south to the alley.

The north side of Elm Street from its intersection with Leonard Street west for a distance of One Hundred Forty (140') feet

Both sides of "City Loop Ramp" being the connecting road from Neshonoc Road to County Trunk B (Jefferson Street)

On the North side of East Jefferson Street going East for Fifty (50') feet from East curb line of South Mill Street

On the East side of CTH "M" North from Highway 16 to the La Crosse River bridge.

**(6.05(J)(1) - Amended 9/15/94, 9/19/00)**

On the North side of CTH B (West Elm Street) from West Avenue west to CTH M

**(6.05(J)(1)- Amended 9/18/01)**

The south side of West Hamlin Street from its intersection with North Tilson Street to its intersection with North Youlon Street.

**(6.05(J)(1) - Amended 7/15/03)**

**6.05(J)(1)**

A 25-foot long section on the north side of Brickl Road located 218 feet east from its intersection with West Avenue North.

**(6.05(J)(1) - Amended 6/06/06)**

A 150-foot long section on the southeast side of Commerce Street starting 700 feet southwest of its intersection with Brickl Road and then continuing another 150 feet to the southwest along the southeast side of Commerce Street.

**(6.05(J)(1) - Amended by Ord. 454 on 10/15/13)**

The North side of East Tilson Street from its intersection with North Mill Street to its intersection with North Leonard Street

**(6.05(J)(1)-Amended by Ord. 479 on 10/17/17)**

The west side of West Avenue North beginning at its intersection with Brickl Road and bearing north 450 feet

**(6.05(J)(1) - Amended by Ord. 485 on 09/04/18)**

The west side of West Avenue North beginning at its intersection with Brickl Road and bearing south 225 feet

**(6.05(J)(1) - Amended by Ord. 485 on 09/04/18)**

The north side of Brickl Road beginning at its intersection with West Avenue North and bearing east 235 feet

**(6.05(J)(1) - Amended by Ord. 485 on 09/04/18)**

The north side of West Garland Street beginning at the west point of its intersection with West Avenue and bearing east 185 feet

**(6.05(J)(1) - Amended by Ord. 485 on 09/04/18)**

The south side of West Garland Street beginning at its intersection with West Avenue and bearing east 85 feet

**(6.05(J)(1) - Amended by Ord. 485 on 09/04/18)**

6.05(J)(1)

The east side of Griswold Avenue from its intersection with West City Highway 16 south 115 feet.

**(6.05(J)(1) - Amended by Ord. 486 on 11/06/18)**

(2) For reasons of public safety concerning the route of fire department equipment leaving the fire station, no person shall park or leave standing any vehicle on the east side of North Mill Street in the One Hundred (100) and Two Hundred (200) blocks north being between Garland and Hamilton Streets at any time.

(3) For reasons of public safety concerning the route of semi-truck traffic for the industrial park, no person shall park or leave standing any vehicle in the street along the south curb line of Brickl Road from a point commencing Three Hundred (300') feet west from the center of the intersection of State Highway 16 and Brickl Road at a distance of Two Hundred Twenty (220') feet west therefrom nor along the north curb line of Brickl Road from a point commencing Three Hundred Ninety (390') feet west from the center of the intersection of State Highway 16 and Brickl Road at a distance of Two Hundred Fifty-five (255') feet west therefrom.

(4) **Parking in Front of Mailboxes**. In various areas in the Village, residential mailboxes are located on the street, but due to driveway access by private alleys or lack of driveways, are not placed near a driveway which would otherwise collaterally protect delivery vehicle access to such mailboxes by virtue of State Statutes prohibiting parking within four (4) feet of a driveway. In the absence of a driveway, persons parking on the street often park in front of such mailboxes causing interruption in mail delivery to such mailboxes. Pursuant to the authority granted under Wis. Stats. §349.13(1e)(a), no person shall park within five (5) feet on either side of any mailbox authorized for receipt of mail service by the US Postal Service located for street side mail delivery between the hours of 9:00 a.m. and 7:00 p.m. Monday through Saturday. **(Created with Ord. 514 - 4.18.2023)**

(5) Any person violating this subsection shall upon conviction thereof forfeit not less than Fifty (\$50.00) Dollars nor more than One Hundred (\$100.00) Dollars, and costs as assessed by the Court for each offense.

**(K) Removal of Violating Vehicles.**

(1) Whenever any traffic officer finds a vehicle standing upon a highway, alley or public ground in violation of a prohibition, limitation, or restriction on stopping, standing, or parking provisions of this Ordinance, he is authorized to move such vehicle or to require the operator in charge thereof to move such vehicle to a position where parking is not prohibited. The Police Department may remove such vehicles either with its own facilities or by the employment of towing cars from private garages, and such vehicle may be ordered stored by the Police Department in any storage space, public or private.

(2) Whenever any traffic officer shall find a vehicle stopped upon the highways listed and designated as tow-away zones, during such time as said tow-away provision is in effect, and thereby in violation of this Ordinance, such traffic officer is authorized and directed to cause same to be removed by such towing company as may be designated by the Police Department and stored by the Police Department in any storage space, public or private, until the owner shall release from the Police Department authorizing the towing company to turn vehicle over to the operator or owner thereof. Such release shall not be granted until the owner has paid any penalty and the towing and storage costs.

(3) The provisions of this subsection shall apply to such streets and at such times as tow-away zones are established pursuant to Section 6.03 of this Code.

(4) The Village Board and/or Chief of Police are hereby authorized and directed to post tow-away zones with signs setting forth that there shall be No Stopping, Standing or Parking in the area during the designated times and that same is a tow-away zone.

(5) Whenever any vehicle has been towed away under this Ordinance and has not been redeemed by the owner thereof for a period of thirty (30) days from the day of the violation, it will be deemed an abandoned vehicle and disposed of as provided by Section 6.04(C) of this Chapter.

**(L) Disabled Vehicles.** The provisions of this Section shall not apply to the operator of any vehicle disabled on the highway in such a manner or to such extent that it is impossible to avoid stopping or temporarily leaving such vehicle in such position.

6.05(M)

**(M) Special Parking Exemptions.**

**(1) Special Parking Exemptions: Disabled Veterans-Other Disabled Persons.** An automobile bearing special registration plates issued under §341.14(1) or 341.14(1a) (1m) or (1q) Wis. Stats., or a motor vehicle upon which a special identification card issued under §343.51 Wis. Stats., is displayed, is exempt from any provisions of this Code which imposes time limitation on any parking on any street or parking lot. Such parking privileges granted by this subsection are limited to disabled veterans and other disabled persons to whom special license plates or special identification cards were issued as provided herein, and to qualified motor vehicle operators acting under the express direction of the disabled veteran or other disabled person while such disabled veteran or other disabled person is present.

**(2) Physicians' and Other Emergency Vehicles.**

(a) The Chief of Police may issue to physicians and owners of other emergency vehicles a permit exempting such vehicles from parking time limits while such vehicle is in emergency service or in readiness for such service. Two permit cards signed by the Chief of Police shall be issued to each permittee, which shall be displayed on each side of the vehicle whenever parked contrary to such time limits.

(b) If such permittee knowingly allows another driver to abuse the exemption with his or her car, the Chief of Police may immediately revoke the permit, in addition to other penalties provided in this Ordinance.

**(N) Parking Lots.** The Village Board shall have the authority to regulate all parking in any parking lot.

**6.06 Weight Limitations.** The Village Board may designate any or all streets and alleys within the corporate limits of the Village of West Salem, La Crosse County, Wisconsin, as a Class "B" highway, subjecting the same to the weight limitations imposed by Sec. 348.16, Wis. Stats.

**6.07 Commodity Transfers Prohibited.** The transfer of commodities of any kind from one vehicle to another when both vehicles shall be upon the public highways or upon any public ground is prohibited; provided, however, that this prohibition shall not apply in the case of a mechanical breakdown or inability of the vehicle from which said commodities shall be transferred to proceed further on its own power.

**6.08 Emergency Regulations.**

(A) When necessary for the cleaning, clearing or repairing of, or the removal of snow or ice from any street, or for other emergency or special conditions, the Village President, or designated subordinates, is hereby authorized to make temporary regulations of traffic and parking as conditions require. Notice shall be given of any such regulations by the posting, within a reasonable time before such regulations are to become effective, or reasonably conspicuous signs or by other appropriate and convenient means.

(B) No person shall violate any such emergency regulation.

**6.09 Noise Caused by Vehicles.**

(A) No driver of any vehicle shall, by excessive and unnecessary acceleration, cause the tires of such vehicle to spin excessively and emit loud noises or to unnecessarily throw stones or gravel.

(B) **Racing Engine Prohibited.** No person in control of a motor vehicle shall cause or permit by excessive or unnecessary acceleration or by increasing the revolutions per minute of the engine either while standing or moving, any loud noise such as would disturb the public peace and quiet within the Village.

(C) **Use of Compression Braking "Jake Brakes".** It shall be unlawful for any person to employ any engine braking system which utilizes engine exhaust to slow the vehicle within the corporate limits of the Village of West Salem except in cases of emergency. Such braking system is commonly referred to as compression braking or a "Jake brake." (Amended 06/04/02)

(D) Any person violating this Ordinance shall be cited for "Disorderly Conduct" as provided in §947.01 of the Wisconsin Statutes.

(E) **Penalty.** Any person who violates any Section of this Ordinance shall, upon conviction thereof, forfeit no less than Fifty (\$50.00) Dollars nor more than Five Hundred (\$500.00) Dollars. (Updated with Ord. 535 - 1.21.2025)

**6.10 School Zone Traffic Control.**

(A) Between the hours of 7:45 and 8:10 a.m. and between 3:00 and 3:30 p.m. during school days, the "T" intersection of West Garland Street and North Harmony Street is designated as a 3-way stop and traffic shall stop on all three intersecting streets during such time periods.

(B) A portable stop sign shall be placed in the center of the intersection as a marker during the times specified above.

(C) **Control of Traffic on School District Premises.** Pursuant to a request from the West Salem School Board on 8/23/2021 and pursuant to the provisions of Wis. Stat. Sec. 118.105 and Wis. Stat. Sec. 349.03(5), the following regulations shall apply to the grounds of the West Salem School District located within the Village of West Salem:

(1) The West Salem School Board requests the Village of West Salem to control motor vehicles and pedestrian traffic on off-highway school premises located within the Village of West Salem;

(2) **Speed Limits.** No person shall at any time operate a motor vehicle upon any West Salem School District grounds at a speed in excess of twenty (20) miles per hour; and

(3) **Vehicles Prohibited.** No person shall at any time operate a motor vehicle, other than a school bus, emergency vehicle, or maintenance vehicle, in or upon any drive designated for buses or emergency vehicles.

**6.11 Regulation of Bicycles, Electric Bicycles, Electric Scooters, and Electric Skateboards.** All the provisions set forth in the Wisconsin State Motor Vehicle Laws regulating the operation of bicycles and electric-powered or power-assisted bicycles, scooters, and skateboards are hereby adopted by reference, including Chapters 346 and 347, Wis. Stats.

(A) **Definitions.** As used in this Section, the following terms shall have the meaning indicated.

(1) **Electric Bicycle or E-bike.** An electric bicycle, or e-bike, as defined in Sec. 340.01(15ph), Wis. Stats., is equipped with fully operative pedals for propulsion by human power and an electric motor of 750 watts or less and that meets the requirements of any of the following classifications:

(a) **Class 1 Electric Bicycle.** A bicycle equipped with an electric motor of 750 watts or less that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of twenty (20) miles per hour;

(b) **Class 2 Electric Bicycle.** A bicycle equipped with an electric motor of 750 watts or less that may be used to propel the bicycle without pedaling but does not assist when the bicycle reaches the speed of twenty (20) miles per hour; is defined by the presence of a throttle; and is equipped with an actuator motor that acts as the physical agent to drive the bicycle forward based on throttle input, independent of pedaling;

(c) **Class 3 Electric Bicycle.** A bicycle equipped with an electric motor of 750 watts or less that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of twenty-eight (28) miles per hour.

(2) **Electric Scooter or E-scooter.** An electric scooter, or e-scooter, is a two-wheeled, personal electric vehicle designed for short-distance transportation, typically in urban areas. An electric scooter or e-scooter is powered by an electric motor and battery, is designed to be stood or sat upon by the operator, and is capable of speeds not exceeding twenty (20) miles per hour.

(3) **Electric Skateboard or E-board.** An electric skateboard, also known as an e-board, is a personal mobility device that combines the features of a regular skateboard with an electric propulsion system. It uses a battery and motor to propel the rider forward, eliminating the need to push with their feet.

(4) **Gas-Powered Bicycle or Scooter.** A gas-powered bicycle or scooter refers to a bicycle or scooter that has been modified by adding a non-integral gas or other fuel

powered unit, enabling it to reach speeds beyond those originally intended for the vehicle.

(5) **Manually-Powered Bicycle.** A manually-powered bicycle, herein referred to as bicycle, is a vehicle propelled by feet or hands acting upon pedals or cranks and having wheels any two of which are not less than fourteen (14) inches in diameter.

(B) **Operating Rules.** No person operating a bicycle, electric bicycle, electric scooter, or electric skateboard upon any street or highway within the Village of West Salem shall fail to observe all applicable traffic regulations of the Village and State or to comply with the following regulations:

(1) **Rules of the Road.** The provisions of Chapters 346 and 347, Wis. Stats., and applicable Village Ordinances shall govern the operation of bicycles, electric bicycles, electric scooters, and electric skateboards, where appropriate.

(2) **Registration Required.** Owners of electric bicycles, electric scooters, and electric skateboards shall register their devices as indicated below in 6.11(C) Registration.

(3) **Riding on Sidewalks.** No person shall ride or park a bicycle on any public sidewalk in the Business District. No person over the age of thirteen (13) years shall operate a bicycle on any Village sidewalk.

(4) **Stunt or Trick Riding.** No person operating a bicycle on any street, public sidewalk, or highway shall perform tricks or stunts, or participate in any racing.

(5) **Speed.** No person shall operate a bicycle at a speed greater than is reasonable and prudent under existing conditions or in excess of any posted speed limit.

(6) **Towing with Bicycle.** No person operating a bicycle shall tow, drag, or cause to be drawn behind the bicycle, any person on roller skates, coaster sled, or any other type of conveyance which is not mass-marketed to the public and designed to be towed by a bicycle.

(7) **Carrying Extra Passengers.** Bicycle operators shall not use a bicycle, except a tandem, to carry another person, provided, a bicycle operator may carry a child securely attached to his or her person in a back pack or sling and may carry another person on a bicycle if it is equipped with a child's seat securely attached to and properly designed for use on a bicycle.

(8) **Age Restrictions.**

(a) No person under the age of thirteen (13) years may operate an electric bicycle, electric scooter, or an electric skateboard on any street, sidewalk, public property, bicycle pathway, or public highway within the Village of West Salem without adult supervision within a distance of seventy-five (75') feet of the underage rider(s).

(b) Persons aged thirteen (13) to fifteen (15) years may operate a Class 1 electric bicycle, electric scooter, and electric skateboard but shall not operate a Class 2 or Class 3 electric bicycle.

(c) Persons age sixteen (16) years or more may operate any classed electric bicycle, electric scooter, or electric skateboard.

(9) **Helmet Requirement.** All manually-powered bicycle, electric bicycle, electric scooter, and electric skateboard operators under the age of eighteen (18) years must wear a helmet certified with the NTA 8776 standard or a standard CPSC-certified bike helmet with MIPS technology at all times.

(10) **Parking.** No person shall park any bicycle, electric bicycle, electric scooter, or electric skateboard against any windows or in the main traveled portion of any sidewalk, street, or highway nor in such a manner as to constitute a hazard to pedestrians, traffic, or property.

(11) **Prohibited Areas.** Electric bicycles, electric scooters, and electric skateboards are prohibited from use in the following areas:

(a) All sidewalks and crosswalks.

(b) In all Village public parks, including sidewalks within said parks, and other Village-owned properties which are not streets.

(c) Cutting through privately-owned property, accessing, or crossing any property not designated for vehicle movement is strictly prohibited.

(d) On any street or public space temporarily closed to vehicular traffic by use of emergency vehicles, traffic barricades, barrels, and/or cones by order of the Chief of Police or as designated by a Village Board approved special event permit.

(e) Class 1 and Class 3 electric bicycles may be used on pathways and trails that allow bicycles but must observe a fifteen (15) mile per hour speed limit. Class

2 electric bicycles are prohibited on all pathways, parks, and trails.

(f) The use of a gas-powered bicycles or scooters is prohibited within the Village of West Salem in all locations.

(g) No person shall operate any electrically-powered play vehicle within Village-prohibited areas. Electric play vehicles include, but are not limited to, hoverboards, Segways, electric scooters, electric-powered toy vehicles, or any similar device designed primarily for recreation. Operation of electric play vehicles on sidewalks is prohibited unless expressly permitted for children under thirteen (13) years of age and only when operated in a safe and controlled manner.

(12) **Lighting.** Any manual bicycle, electric bicycle, electric scooter, or electric skateboard operating during hours of darkness must comply with lighting standards detailed under Wis. Stat. Stat. 347.489(1).

(13) **Operation Rules Specific to Electric Bicycles.**

(a) Operation of electric bicycles within the Village of West Salem shall comply with all applicable provisions of Wis. Stat. Sec. 340-351, including, but not limited to, Wis. Stat. Sec. 346.806.

(b) No person under the age of sixteen (16) may operate a Class 2 or Class 3 electric bicycle, though a person under sixteen (16) may ride as a passenger if the bicycle is designed to accommodate passengers. Anyone operating a Class 3 electric bicycle or any electric bicycle equipped with a motor exceeding 750 watts or capable of speeds greater than twenty-eight (28) miles per hour is required to have a valid driver's license and is subject to all applicable motor vehicle laws.

(14) **Operation Rules Specific to Electric Scooters and Electric Skateboards.**

(a) No electric scooter may be operated at speeds exceeding twenty (20) miles per hour within the Village limits and must comply and adhere to all regulations outlined in this Ordinance.

(b) All electric scooter and electric skateboard operators under the age of eighteen (18) years must wear a helmet certified with the NTA 8776 standard or a standard CPSC-certified bike helmet with MIPS technology at all times.

(C) **Registration.** No person shall operate an unregistered electric bicycle (E-Bike), electric scooter (E-Scooter), or electric skateboard (E-Board) upon any street, sidewalk, public property, bicycle pathway, or public highway within the Village of West Salem. Manually powered bicycles may be registered if desired by the owner.

(1) **How Registered.** Registration shall be made by application through the West Salem Police Department, on forms provided by the Village of West Salem, giving the name, address, telephone number of the owner, and a complete description of the bicycle, electric bicycle, electric scooter, or electric skateboard, including the name of the manufacturer, style, model, class type, serial number, and color.

(2) **Registration Fee.** There shall be no fee to register manually powered bicycles. A Five (\$5.00) Dollar registration fee shall be charged prior to registration of all electric bicycles, electric scooters, and electric skateboards.

(3) **Registration Decal Display Requirements.**

(a) Upon application, a license plate bearing a number sequence shall be issued by the Police Department to the registered owner of any electric bicycle or electric scooter upon initial registration.

(b) Upon application, a registration sticker bearing a number sequence shall be issued by the Police Department to the registered owner of any manual bicycle or electric skateboard upon initial registration.

(c) It is the owner's responsibility to affix the issued license plate to the electric bicycle or electric scooter in the manner prescribed in (e) **Placement.**

(d) It is the owner's responsibility to affix the issued registration sticker to the manual bicycle or electric skateboard in the manner prescribed in (e) **Placement.**

(e) **Placement.**

(i) Electric Bicycles: License plates shall be affixed rear facing and centered horizontally under the seat of the rider and shall be unobstructed from the public's view.

(ii) Electric Scooters: License plates shall be affix forward facing and centered horizontally under the handlebar and shall be unobstructed from the public's view.

(iii) Electric Skateboards: Registration stickers shall be affixed so that it is downward facing underneath the skateboard.

(iv) Manual Bicycle: Shall affix the registration sticker along the Seat Tube underneath the rider on left side (when sitting atop the bicycle.)

(4) **Unsafe Bicycles not to be Registered.** No bicycle, electric bicycle, electric scooter, or electric skateboard shall be registered which is in an unsafe mechanical condition.

(5) **Suspended Registrations.** The Chief of Police shall have the authority to suspend the registration of, and remove the registration decals from, any bicycle, electric bicycle, electric scooter, or electric skateboard operated contrary to any State law or Village Ordinance for which the rider, parent, or owner has been cited for a violation or which is being operated in an unsafe mechanical condition. The registration shall not be reinstated nor such decals replaced while such bicycle remains in unsafe condition, and while the citation is pending and while a fine related to the citation remains unpaid. Such suspension and removal shall be in addition to other penalties provided for herein.

(6) **Impounding.** The Chief of Police shall have the authority to impound any bicycle, electric bicycle, electric scooter, or electric skateboard for a period not to exceed ten (10) business days, upon issuance of a fourth (4<sup>th</sup>) violation involving the same rider, parent, or owner.

(7) **Period of Registration.** All registrations shall be permanent unless a change of ownership occurs.

(8) **Owner to Register.** The licensing authority shall not register any bicycle which it knows or has reasonable grounds to believe is not owned by or lawfully in the possession of the applicant.

(9) **Change of Ownership.** If a change in ownership occurs, electric bicycles, electric scooters, and electric skateboards must be registered prior to use by a new owner. Within ten (10) days after any registered device is sold or transferred to a new owner, the person in whose name the bicycle is registered shall report such information to the Police Department. The Police Department shall thereupon cancel the registration of the bicycle and the new owner, if any, shall be responsible for obtaining a new registration.

(10) **Alteration/Removal Prohibited.** No person shall remove, alter, or create a counterfeit of any registration decals of a bicycle, electric bicycle, electric scooter, or electric skateboard.

(11) **Registration Exemptions.** Electric bicycles, electric scooters, or electric skateboards not kept within the Village of West Salem are not required to register with the Police Department as long as their use within Village limits does not exceed two (2) weeks.

(D) **Enforcement.**

(1) **Under the Age of Thirteen (13).** Any offender under the age of thirteen (13) years who shall disregard the rules and regulations governing the operation of bicycles, electric bicycles, electric scooters, and/or electric skateboards as set forth in this Section, upon investigation of citizen complaint, or observation by a police officer of this jurisdiction, may receive issuance of the following:

(a) **First offense:** May receive issuance of a written warning of violation which will be accompanied with written parent notification by mail.

(b) **Second Offense and Subsequent:** A parent or legal guardian of the offender may receive issuance of municipal citation and be subject to forfeiture.

(2) **Offenders Age Thirteen (13) or Older.** Any person having reached the age of Thirteen (13) years may receive issuance of the following:

(a) **First offense:** May receive issuance of a written warning of violation. Parents or legal guardians of offenders seventeen (17) years age or younger will receive written parent notification of violation by mail.

(b) **Second Offense and Subsequent:** May receive issuance of a municipal citation resulting in forfeiture and may be required to appear in municipal court.

(E) **Unclaimed or Unidentified Bicycles.** All abandoned or unidentified bicycles shall be delivered to the West Salem Police Department for storage, and all such bicycles remaining in the possession of the West Salem Police Department at the end of thirty (30) days may be sold.

(F) **Penalty.** Any person violating any provision of this Ordinance shall, upon conviction thereof, forfeit not less than

One Hundred (\$100.00) Dollars nor more than Five Hundred (\$500.00) Dollars.

**(6.11 Created by Ord. 546 - 6.02.2026)**

**6.12 Penalties.**

**(A)** Except as provided below, any person violating any provisions of this Chapter, including those provisions of Wisconsin Statutes which are incorporated by reference, shall upon conviction thereof, forfeit not less than Ten (\$10.00) Dollars nor more than Five Hundred (\$500.00) Dollars, the costs of prosecution, and any applicable penalty as provided in §345.20-345.53 Wis. Stats.

**(B)** The forfeiture for violation of Sections 6.02, 6.03, 6.07 and 6.08 of this Chapter shall be not less than Five (\$5.00) Dollars nor more than Two Hundred (\$200.00) Dollars for the first offense and not less than Ten (\$10.00) Dollars nor more than Five Hundred (\$500.00) Dollars for a second offense within one year.

**(C)** The forfeiture for violation of Section 6.09 of this Chapter shall be not less than Thirty (\$30.00) Dollars nor more than Five Hundred (\$500.00) Dollars for a first offense and not less than Sixty (\$60.00) Dollars nor more than One Thousand (\$1,000.00) Dollars for a second offense.

**(D) Parking.** The forfeiture for violation of any parking regulation set forth in this Chapter shall be as set forth in Appendix "A" Fee Schedule. All fines and forfeitures may be adjusted from time to time by Village Board action. As an exception to the preceding paragraphs of this Section, persons who receive parking tickets or parking violation notices may discharge the penalty thereof by forwarding within ten (10) days of the offense to the West Salem Police Department the sum of the original forfeiture as set forth above. If not forwarded within ten (10) days, the penalty may be discharged by forwarding within fifteen (15) days of the offense to the West Salem Police Department the sum of double the original forfeiture as set forth above. The receipt of this tender shall be deemed an entry of appearance and a stipulation for entry of judgment for forfeiture in that amount. No court costs or fees shall be assessed against the penalty for a non-moving traffic violation, but any towing costs resulting from such a violation will be assessed against the owner.

(E) **Penalties**. All forfeiture amounts listed in this Section are subject to Village Board annual review and approval and may be changed from time to time by Village Board Resolution.

**6.13 Enforcement**. This Chapter shall be enforced in accordance with the provision of §66.0114, 345.20 to 345.53, and Ch. 799 Wis. Stats.

(A) **Stipulation of Guilt or No Contest**. Stipulations of guilt or no contest may be made by persons arrested for violations of this Ordinance in accordance with §66.0114(1)(b) Wis. Stats., whenever the provisions of §345.27 are inapplicable to such violations. Stipulations shall conform to the form contained on the uniform traffic citation and complaint under §345.11 Wis. Stats., and may be accepted within ten (10) days of the date of the alleged violation. Stipulations may be accepted by the Village Police Department, as provided in Section (E) of this Chapter.

(B) **Deposits**. Any person stipulating guilt or no contest under subsection (A) of this Section must make the deposit required under §345.26 Wis. Stats., or, if the deposit is not established under such statute, shall deposit a forfeited penalty as provided in the schedule established by the Chief of Police and approved by the Village Board. Deposits shall be brought or mailed to the office of the Police Department as directed by the arresting officer. Deposits for parking or non-moving violations shall be mailed or brought to the Police Department.

(C) **Notice of Demerit Points and Receipt**. Every officer accepting a forfeited penalty or deposit under this Section shall receipt therefor in triplicate on a serially numbered form and shall deliver the original receipt to the alleged violator if requested. The officer shall inform the alleged violator that he or she may inquire at the office of the Clerk of Court or justice regarding the disposition of the receipt.

Whenever a person is charged with a violation of law which requires upon conviction that his or her operator's license be revoked or that his operator's records be charged with demerit points as established by rule under §343.32(2) Wis. Stats., the arresting officer shall inform the offender before accepting the stipulation that it will result in revocation of his or her license, or in the charging of demerit points against his or her record, shall inform the offender of the number of points which is cause for revocation and shall require him or her to sign a

statement to the effect that he or she has been so informed. Such statement shall substantially conform to the uniform traffic citation promulgated under §345.11 Wis. Stats., and shall be a part of or attached to the stipulation.

**(D) Forfeitures in Treasury; Officer to Post Bond, Qualify.**

Any officer accepting deposits or forfeited penalties under this Ordinance shall deliver them to the Village Administrator within twenty (20) days after receipt. Any officer authorized to accept deposits under §345.26 Wis. Stats., or this Ordinance shall qualify by taking the oath and filing an official bond in the sum of One Thousand (\$1,000) Dollars as described by §19.01 Wisconsin Statutes.

**(E) Stipulation Procedure.** The Chief of Police or other member or employee of the Police Department designated by him or her upon request of any person charged with a violation of this Chapter, may accept a written stipulation of guilt and required penalty of such person in accordance with the following provisions:

(1) Any person to whom a traffic citation has been issued for violating any section or sections of the West Salem Municipal Code as set forth herein may appear at the Village Police Department in answer to the charges set forth in said citation and, upon payment of the amount herein provided, may be permitted to enter into a stipulation with the Village, represented by the Village Attorney, for a disposition of the alleged violation stated in the citation. Such stipulation may provide for a plea or stipulation of guilt, nolo contendere, or for a forfeiture of a deposit of money as a penalty as herein provided.

A copy of such stipulation shall be given the violator and he shall be required to confirm, in writing, that he has been informed that his driving record will be charged with points in the case of a moving violation and the number of points which is cause for revocation of an "Operator License", as provided in subsection (C) above.

Whenever a person stipulates to a traffic violation which is required by law to be processed through court, the stipulation and the deposit of the Court having jurisdiction of the alleged violation for such further disposition as the Court may direct. If such stipulation is vacated by Court, the provisions of this section shall not apply.

**6.13(E)(2)**

(2) **Payment within Ten (10) Days.** Whenever the stipulation covers a violation which is not required by law to be filed in court, it and the amount of deposit or penalty received therewith shall be filed and deposited with the Chief of Police or his or her designee.

If a stipulation is not entered into within ten (10) days commencing at 6:00 p.m. on the day a citation is issued, the penalty shall be increased as hereinafter provided, unless, for good cause shown, the Chief of Police or his or her designee extends such time limit.

The deposit or penalty for all violations shall be paid in cash, money order or bank check, payable to the Village.

Neither the Chief of Police nor any other officer or Village employee shall be personally or officially responsible for the payment of any penalty.

In the event the person receiving a citation for an alleged violation transmits the stipulation by messenger or mail to the Police Department, such person shall place his or her name, post office address, his or her operator's license number and the date of his or her birth upon said stipulation as appropriate.

For the purpose of this Section, a non-moving violation or offense is any parking or standing of a vehicle in violation of a traffic ordinance and any violation, while the vehicle is not in motion, of any ordinance enacted pursuant to law or the Motor Vehicle Code of the State of Wisconsin. A pedestrian violation of any traffic or ordinance shall be deemed a non-moving violation.

**6.14 Readoption.** Chapter VI Traffic of the Code of Ordinances is hereby readopted in its entirety.

**(6.14 - Published 12/29/88)**

**6.15 School Crossing Guards.**

Chapter VI Traffic is hereby revised to delete in its entirety Section 6.15 School Crossing Guards. - **Ordinance No. 509 - 9.20.2022**

**6.16 School Bus Warning Lights.** Pursuant to Wis. Stat. Sec. 349.21(1), the West Salem School District administration is authorized to formulate and execute a policy for the use of flashing red warning lights by its school bus operators in the

Village Residential or Business Districts where pupils or other authorized passengers are to be loaded or unloaded at locations where there are no traffic signals and such persons must cross the street or highway before being loaded and after being unloaded. Said policy shall be submitted to the Village Administrator in writing and signed by the West Salem School District Superintendent and shall list by specific locations all those locations where school bus operators shall be stopping to load and unload and shall be using their flashing red warning lights. The Village Administrator shall then submit the written policy to the Village Board upon receipt from the West Salem School District Superintendent and upon approval by resolution passed by the Village of West Salem, those locations shall be locations at which flashing red warning lights shall be used by school bus operators pursuant to the terms of Sec. 349.21(1) and Sec. 346.48(2)(b)(2).