

Chapter 8
Traffic Code

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Article I. In General

Sec. 8-01. State traffic laws adopted.

- (1) The statutory provisions describing and defining regulations with respect to vehicles and traffic in the Wisconsin Statutes, including all provisions contained in Chapter 340 through 350, exclusive of any provisions therein relating to the penalties to be imposed or the punishment for violation of such statutes, are hereby adopted and by reference made a part of this Chapter of the Marshfield Municipal Code as if fully set forth. Any act required to be performed or prohibited by any statute incorporated in this section by reference is required or prohibited by this section. Any future amendments, revisions or modifications of the statutes incorporated in this section are intended to be made part of this Chapter of the Marshfield Municipal Code in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the State of Wisconsin. Any citations or actions for violation of the statutory sections adopted hereby shall reference the specific section preceded by the prefix “8”.
- (2) The following chapter of the Wisconsin Administrative Code is hereby adopted and by reference made part of this Chapter of the Marshfield Municipal Code as if fully set forth herein: Wisconsin Administrative Code Trans 305. Any act required to be performed by or prohibited by any provision contained in the Wisconsin Administrative Code Trans 305 is required or prohibited by this Chapter of the Marshfield Municipal Code in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the State of Wisconsin. Any future amendments, revisions or modifications of the Administrative Code provisions incorporated herein are intended to be made part of this Code. Any citations or actions for violation of the administrative provisions adopted hereby shall reference the specific section of Trans 305 preceded by “8-Trans 305”.

(Code 1982, § 7.01; Ord. No. 988, § 1 (7.011), 2, 8-26-2003; ORD 1372 1/23/18; ORD 1492 4/11/23)

Sec. 8-02. Negligent Endangerment

- (1) Whoever endangers another person’s safety by a high degree of negligence in the operation of a vehicle not upon a highway as defined in section 340.01, may be subject to forfeiture of not less than \$200.00.

(Code 1982, § 7.16; ORD 1372 1/23/18)

Sec 8-03, Repealed

Sec. 8-04. Vehicular and pedestrian traffic at airport.

- (1) Definitions. The following words and phrases are defined as used in this section:

Emergency equipment means crash, fire and rescue or police motor vehicles and such other equipment as the municipal airport manager may designate as necessary to safeguard airport runways, taxiways, ramps, buildings and other property.

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Pedestrian means a person afoot.

Service, maintenance and construction equipment means approved equipment normally operated by Marshfield Airways, Inc., a fixed-base operator, and the Federal Aviation Administration on landing areas, runways, taxiways and peripheral roads for the servicing, maintenance and construction of airport facilities and services or for the servicing of aircraft. This includes equipment owned and operated by a contractor performing work on the airport under a contractual agreement with the city.

Vehicle means a device in, upon, or by which any person or property is or may be transported or drawn excepting aircraft.

- (2) *Operation of vehicles on runways, taxiways and ramps.* Operation of vehicles on runways, taxiways and ramps shall be in accordance with the following:
- (a) *Prohibited.* No vehicle shall enter, be driven upon, or operate upon any airport runway, taxiway, ramp, tie-down area or any area posted by signs prohibiting the entrance thereon.
 - (b) *Exceptions.* Exceptions shall be as follows:
 - 1. The provisions of this section shall not apply to emergency equipment and service, maintenance and construction equipment when engaged in performing normal duties.
 - 2. Aircraft owners may be granted authorization by the airport manager or his designated representative to operate a vehicle to reach their own aircraft in a tie-down area. Aircraft owners desiring to operate a vehicle for this purpose will request such authorization in advance. Any authorization granted shall apply to only a specific need request. Unless specifically authorized, aircraft owners shall not pass over any runway, taxiway or ramp and shall proceed through such tie-down area at a speed not to exceed ten miles per hour. They shall not at any time park a vehicle on any area used for the movement of aircraft. Such authorization shall not be granted contrary to the provisions of part 139, Federal Aviation Regulations.
- (3) *Speed of vehicles.* No vehicle shall be driven upon any road within the perimeter of the airport, or upon other airport areas, in excess of the speed limit posted at the entrance to the airport, or within the boundaries thereof if more than one speed limit shall be applicable, nor shall the driver of any vehicle fail to adhere to any sign posted to regulate vehicular traffic on or about the airport.
- (4) *Pedestrian traffic on airport.* No pedestrian shall be allowed beyond the administration area or upon the apron or aircraft tie-down area unless for the purpose of embarking in or disembarking from an aircraft, or unless authorized by the airport manager. There shall be no pedestrian traffic on taxiways, runways and outlying areas of the airport except for those employees of the city, county, state, or federal government or contractors engaged in airport construction or maintenance work.
- (5) *Enforcement and violation.* The airport manager and the police department shall enforce this section, and any person who shall violate any of these provisions shall, upon conviction thereof, forfeit a fine according to section 1-05 of this Code, together with the costs of prosecution, and in default of payment of the forfeiture and costs of prosecution shall be imprisoned in the county jail until the forfeiture and costs are paid, but not exceeding 90 days.

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(Code 1982, § 7.20)

Sec. 8-05. Operation of motor vehicles, all-terrain vehicles and snowmobiles on city property.

It shall be unlawful for any person to operate a motor vehicle, all-terrain vehicle, snowmobile or any other motorized vehicle; as those terms are defined in § 340.01 Wis. Stats. upon public property owned by the City of Marshfield or in the Marshfield public school district other than upon roadways or routes specifically designated for such operation, except for the operation of emergency or maintenance vehicles owned or operated by authorized municipal or school personnel. The director of public works or police chief is hereby authorized to permit the operation of vehicles described in this section, for specific occasions, and then only when they are satisfied that no damage to public property will result from such operations or they deem the operation is an emergency.

(Code 1982, § 7.21)

Sec. 8-06. Official traffic signs and signals.

- (1) *Placement and maintenance.* The director of public works, in cooperation with the chief of police, shall place and maintain appropriate and necessary traffic signs, signals and markings conforming to the requirements of the Wisconsin Department of Transportation and state law.
- (2) *Removal of unofficial signs and signals.* The board of public works shall have the authority granted by § 349.09 Wis. Stats. and shall order the removal of a sign, signal, marking or device placed, maintained or displayed in violation of this chapter or § 346.41 Wis. Stats. The expense of removal may be assessed as a special tax pursuant to § 349.09 Wis. Stats.
- (3) *Intersection control.* The director of public works may prohibit right turn on red or left turns at any intersection where such restrictions are necessary or convenient for traffic safety and control, pursuant to section 8-41.

(Code 1982, § 7.22; Ord. No. 936, § 6, 8-13-2002)

Sec. 8-07. Unnecessary motor vehicle noise prohibited.

No person shall make unnecessary and annoying noise with a motor vehicle by squealing tires, by excessive acceleration of the engine or by emitting unnecessary and loud muffler noises.

Code 1982, § 7.23; ORD 1372 1/23/18

Sec. 8-08. Emergency regulations.

The chief of police shall make and enforce regulations necessary to carry out the provisions of this chapter. He is also empowered to make and enforce temporary regulations to cover emergencies or special conditions. Such authority shall include issuance of permits for parking on streets or in other areas otherwise prohibited in the following cases:

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- (1) In the case of nonresidents visiting residents of the city overnight where off-street parking would be unreasonably inconvenient or difficult, in the judgment of the chief of police, or designee, but for only three nights in succession.
- (2) Where, in the judgment of the chief of police, or designee, any person has unreasonable difficulty removing his automobile from a street into a private driveway because of an accumulation of snow, ice or other hazardous conditions. This provision shall not apply during a snow emergency.

(Code 1982, § 7.24)

Sec. 8-09. Removal of vehicles.

- (1) *Generally.* Whenever any traffic officer finds a vehicle standing upon a highway, street or alley in violation of a prohibition, limitation or restriction on stopping, standing or parking, he is authorized to have such vehicle moved to a place of safekeeping or to require the operator in charge thereof to move the vehicle to a place where stopping, standing or parking is not prohibited. Removal of the vehicle upon order of a member of the police department shall not relieve the owner or the operator of the vehicle from any penalty incurred because of such violation.
- (2) *Penalties.* Any person whose motor vehicle is removed pursuant to this section shall pay a forfeiture of not less than \$25.00 for the removal, in addition to whatever forfeitures may be imposed for the illegal standing or parking which led to the removal.

(Code 1982, § 7.25)

Sec. 8-10. State forfeiture statutes.

- (1) *Generally.* Any forfeiture for violation of §§ 8.340.01—8.941.01 of the Code shall conform to the forfeiture permitted to be imposed for violation of the statutes adopted by reference, including any variations or increases for subsequent offenses.
- (2) *Local regulations.* Except as otherwise provided in this chapter, the penalty for violation of ss. 8-44 and 8-82 of this chapter shall not be less than \$20.00 nor more than \$200.00 for the first offense and not less than \$40.00 nor more than \$500.00 for the second offense in two years.
- (3) *Parking violations.* Forfeitures for parking violations shall be as follows:
 - (a) (a) The forfeitures for the following statutory violations shall be as indicated:

	<i>Wis. Stats.</i>		<i>Forfeiture</i>	
			<i>Min.</i>	<i>Max.</i>
1.	346.505	Stopping/ standing/parking prohibited in parking spaces reserved for vehicles displaying special registration plates or special identification cards	\$150.00	\$300.00
2.	346.51(1)	Improper parking on/off roadway	\$30.00	\$300

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3.	346.52(1)	Stopping/standing in prohibited areas	\$25.00	\$100.00
4.	346.52(2)	Stopping/standing on highway by grade school	\$25.00	\$100.00
5.	346.53	Parking/standing where prohibited	\$25.00	\$100.00
6.	346.54	Improper parking/ standing of vehicle	\$25.00	\$100.00
7.	346.55(1)	Parking on left side of highway	\$30.00	\$300.00
8.	346.55(3)	Parking on posted private property	\$25.00	\$100.00

Notwithstanding the penalties listed in subsection (3)(a) of this section, any person having a vehicle registered in his/her name which is found to be parked in violation of section 8-77, 8-78, 8-79(2) or 8-80 shall, upon conviction thereof, forfeit not less than \$25.00 nor more than \$100.00, and any person having a vehicle registered in his/her name which is found to be parked in violation of section 8-79(1) shall, upon conviction thereof, forfeit not less than \$25.00 nor more than \$150.00, besides the costs of prosecution, or in default of such payment and costs, may be imprisoned in the city or county jail until such forfeiture and costs are paid, not to exceed five days; provided that such forfeiture shall not be imposed if the offender deposits a sum equal to the minimum forfeiture within 48 hours or a sum double the minimum forfeiture more than 48 hours after the issuance of the citation by the police department for such violation; all such deposits shall be in United States coin or currency. Deposits shall be placed in the envelope provided with the citation and put in the police department boxes located at the police station and throughout the city. The chief of police shall procure and install a reasonable number of such boxes and shall prepare or obtain suitable envelopes to be attached to the citation issued for such violations.

Sec. 8-11. Enforcement.

- (1) *Enforcement procedure.* This chapter shall be enforced according to § 66.0114(1)(a)—(c), chapter 800 and §§ 345.20—345.53, Wis. Stats.
- (2) *Deposit.* Deposits shall be made in accordance with the following:
 - (a) Any person arrested for a violation of this chapter may make a deposit of money as directed by the arresting officer at the police station or at the office of the clerk of court or by mailing the deposit to such places. The arresting officer or the person receiving the deposit shall comply with § 345.26 Wis. Stats. or, if the deposit is mailed, the signed statement required under § 345.26 Wis. Stats. shall be mailed with the deposit. The arresting officer or the person receiving the deposit shall notify the arrested person, orally or in writing, that:
 1. If he fails to appear in court at the time fixed in the citation, he will be deemed to have tendered a plea of no contest and submitted to a forfeiture plus costs not to exceed the amount of the deposit; or
 2. If he fails to appear in court at the time fixed in the citation, and if the court does not accept the deposit as a forfeiture, he will be summoned into court to answer the complaint.
 - (b) The amount of the deposit shall be determined in accordance with the deposit schedule established by the Wisconsin Judicial Conference and shall include the penalty assessment established under § 757.05(1) Wis. Stats. court costs. If a deposit schedule has not been

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established, the arresting officer shall require the alleged offender to deposit the forfeiture established by the chief of police, which shall include the penalty assessment established under § 757.05(1) Wis. Stats. Deposits for nonmoving violations shall not include the penalty assessment.

- (c) The arresting officer or the person receiving the deposit shall issue the arrested person a receipt therefor as required by § 345.26(3)(b) Wis. Stats.
- (d) Any accepted deposits or forfeited penalties by the police department shall be delivered to the finance director within 20 days after receipt.

(3) *Stipulation of no contest.* Any person charged with a violation of this chapter except §§ 8.346.62(1) and 8.346.63(1) Wis. Stats. may make a stipulation of no contest pursuant to § 800.03 Wis. Stats., which shall be received at the police station or the office of the clerk of court within ten days of the date of the alleged violation. Such person shall, at the time of entering into the stipulation, make the deposit required under subsection (2) of this section if he has not already done so. A person who has mailed or filed a stipulation under this subsection may, however, appear in court on the appearance date and may be relieved from the stipulation for cause shown as required in § 800.03 Wis. Stats.

(Code 1982, § 7.31)

Sec. 8-12. Procedure for alternate enforcement of forfeiture recoveries in nonmoving traffic

In addition to all other methods of collecting forfeitures for nonmoving traffic violations (parking violations) provided for in this chapter, if the alleged violator of such a violation fails to pay the amount of forfeiture as provided on the citation issued for such violation, or fails to appear in court within 28 days after the issuance of the citation, the chief of police or his designee may take any or all of the actions authorized under §§ 345.28 and 345.34—345.47 Wis. Stats., inclusive. The additional cost of using the registration program as established under § 85.13 Wis. Stats. shall be assessed against and added to the amount of forfeiture to be paid by the alleged violator, all as authorized by § 345.28 Wis. Stats.

(Code 1982, § 7.32)

Sec. 8-13. Penalty.

All violations of the provisions of this chapter, not enforceable under ss. 8-10, 8-11 and 8-12, are subject to penalties provided at section 1-05 of this Code.

(Code 1982, § 7.30)

Secs. 8-14—8-40. Reserved.

Article II. Operation of Vehicles

Sec. 8-41. Traffic and parking controls.

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- (1) The director of public works, in coordination with the chief of police, shall maintain the Administrative Code of Traffic and Parking Regulations for the City of Marshfield, to include the establishment of traffic control signage and the establishment and enforcement of speed limits, parking and through-street designations, heavy traffic routes, one-way street and alley designations, and all other necessary and convenient regulations for the control of traffic in and about the City of Marshfield, and including parking limitations.
- (2) All additions, deletions or amendments to the Administrative Code of Traffic and Parking Regulations shall be submitted to the board of public works for review and approval, subject to the further review and approval of the council. Upon approval of the board of public works, and concurrence of the council, such additions, deletions or amendments to the Administrative Code of Traffic and Parking Regulations shall become enforceable, and violations of such code shall be deemed a violation of the Municipal Code, subject to penalties as provided in this chapter of the Municipal Code.

(Code 1982, § 7.02)

Sec. 8-42. Heavy traffic routes.

- (1) *Prohibited.* No person shall operate any vehicle within the classification of heavy traffic as defined by § 349.17(2) Wis. Stats. over any street except those designated in the administrative code of traffic and parking regulations, unless such person has first been issued a permit by the city engineer's office, and such operation shall be limited to such routes, length of time, and other conditions as are set forth in such permit. The city engineer's office shall notify the police department as to the details of any such permit issued. This section shall not be construed as prohibiting the ordinary use of any street for the purpose of obtaining commodities to or from any place of business or residence fronting on such street. For the purpose of this section, the definition of "commodities" shall exclude waste construction materials consisting of fill soil, concrete, bituminous concrete, broken pavement, trees, or brush; and shall also exclude demolition materials including bricks, building stone, wood, masonry, roofing, siding, and plaster.
- (2) *Special or seasonal weight limits.* The director of public works may impose special or seasonal weight limits to prevent injuries to the roadway of any highway, bridge or culvert within the jurisdiction of the city or for the safety of users of such highway, bridge or culvert, and shall be responsible for erecting signs giving notice thereof in accordance with § 349.16 Wis. Stats.
- (3) *Exceptions.* This limitation on the weights of vehicles shall not apply to authorized emergency vehicles as defined in § 340.01 Wis. Stats. or city-owned motor vehicles while engaged in work off designated heavy traffic routes or to those vehicles providing local service on designated heavy traffic routes.
- (4) *Penalty.* Any person who violates any of the provisions of this section shall, upon conviction thereof, be subject to the penalty provided in section 1-05 of this Code.

(Code 1982, § 7.11; Ord. No. 936, § 1, 2, 8-13-2002)

Sec. 8-43. One-way streets and alleys.

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When necessary or convenient for traffic safety and control, the director of public works may designate public streets or alleys as one-way, pursuant to section 8-41, and upon any streets or alleys so designated and posted, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the specific direction is exhibited.

(Code 1982, § 7.12; Ord. No. 936, § 1, 2, 8-13-2002)

Sec. 8-44. School buses and school crossing guards.

- (1) *Signal required.* Pursuant to the authority granted by § 349.21 Wis. Stats. it is required that school bus operators operating in the residence or business district, when pupils or other authorized passengers are to be loaded or unloaded shall actuate flashing red or amber warning lights before stopping to load or unload pupils or other authorized passengers at a location which there are no crosswalks or traffic signals, and such persons must cross the street or highway before being loaded or after being unloaded; or where a sidewalk and curb are laid on both sides of the street. Such lights shall not be extinguished until loading or unloading is completed and persons who must cross the street or highway are safely across.
 - (a) The requirement for the activation of flashing red or amber warning lights under this section may be excused for a specific stop designated by street location by prior written authorization from the City of Marshfield Police Chief or his or her designee.
- (2) *Compliance with school crossing guard.* All persons shall comply with any lawful order, signal or discretion of a member of a school crossing guard when in the course of their regular duties. No operator of a motor vehicle shall fail or refuse to stop for a crossing guard when, in the performance of his duties, he directs by use of sign or signal.
- (3) *Required stop for school bus flashing red lights.* No operator of a vehicle which approaches the rear or front of a school bus which has stopped on a street or highway and which is displaying flashing red warning lights shall proceed until having stopped his vehicle not less than 20 feet from the bus and having remained stopped until the bus resumes operation or until the operator extinguishes the flashing red signal lights.

(Code 1982, § 7.13; 1338 10/25/13)

Sec. 8-45. Crosswalks.

The board of public works shall establish and designate and thereafter maintain, or cause to be maintained by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where there is particular danger to pedestrians crossing the roadway, and at such other places as it may deem necessary.

(Code 1982, § 7.14)

Sec. 8-46. Compression brakes.

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- (1) *Prohibition.* No person shall use motor vehicle brakes within the City of Marshfield which are in any way activated or operated by the compression of the engine of any motor vehicle or any unit or part thereof.
- (2) *Exception.* It shall be an affirmative defense to prosecution under this section that the compression brakes are necessary for the protection of persons and/or property.

(Code 1982, § 7-33)

Sec. 8-47. Disorderly conduct with a motor vehicle.

No person shall, within the City of Marshfield, on public or private property, by or through the use of a motor vehicle, motorcycle, snowmobile, mini-bike, ATV or any other motorized vehicle, engage in violent, dangerous, abusive, unreasonably loud or otherwise disorderly conduct, including but not limited to unnecessary, deliberate or intentional: spinning of wheels, squealing of tires, revving of the engine, blowing of the horn, causing the engine to backfire, causing the vehicle in motion to raise one or more of its wheels off the ground or causing the vehicle to otherwise be operated in an erratic or dangerous manner under circumstances which tend to cause or provoke a disturbance.

(Ord. No. 989, § 1 (7.26), 8-26-2003)

Sec. 8-48. Use of Mobile Telephones Restricted

- (1) *Prohibition.* No person shall operate a motor vehicle on any street or highway while using a hand-held mobile telephone or mobile electronic device.
- (2) *Definitions.* The following definitions shall apply in the interpretation and enforcement of this section:
 - (a) “Authorized emergency vehicle” shall have the same meaning as in Wis. Stat. § 340.01(3).
 - (b) “Mobile electronic device” means any hand-held or other portable electronic equipment capable of providing data communication between two or more persons, including a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment capable of playing a video game or a digital video disk, equipment which provides navigation assistance to the operator of a motor vehicle which is not installed or integrated into the electrical system of a motor vehicle, or equipment on which digital photographs are taken or transmitted, or similar device or any combination thereof.
 - (c) “Mobile telephone” includes a cellular, analog, wireless or digital telephone capable of sending or receiving telephone communications without an access line for service.
 - (d) “Operate” shall have the same meaning as in Wis. Stat. § 343.05(1)(c).
 - (e) “Using” shall mean to dial, answer, talk, listen, send or read a text message, or otherwise manipulate the controls of a mobile telephone or other mobile electronic device.

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- (3) **Presumption.** The operator of a motor vehicle who holds a hand-held mobile telephone to, or in the immediate proximity of his or her ear, is presumed to be using such telephone within the meaning of this section. The operator of a motor vehicle who holds a mobile electronic device in at least one hand is presumed to be using such mobile electronic device within the meaning of this section. The presumption established under this subsection may be rebutted upon the presentation of evidence that is clear, satisfactory and convincing to a reasonable certainty.
- (4) **Exemptions.** This section does not apply to any of the following:
 - (a) The operator of an authorized emergency vehicle or a member of the armed forces of the United States while operating a military vehicle and while in the performance of his or her official duties and within the scope of his or her employment.
 - (b) The use of a mobile telephone or mobile electronic device for the sole purpose of communicating with public safety personnel or duly licensed medical personnel regarding an emergency situation.
 - (c) The use of a voice-operated or hands-free device if the operator of the motor vehicle does not use his or her hand to operate the device, except to activate or deactivate a feature or function of the device.
 - (d) An operator of a motor vehicle while maintaining the motor vehicle in the park position where the motor vehicle has an automatic transmission, or in the neutral position with the emergency brake applied where the motor vehicle has a standard transmission, either on public or private property.
 - (e) An amateur radio operator who holds a valid amateur radio operator's license issued by the federal communications commission when he or she is using dedicated amateur radio 2-way radio communication equipment and observing proper amateur radio operating procedures.
 - (f) Any audio equipment or equipment installed or integrated into the electrical system of a motor vehicle for the purpose of providing navigation assistance to the operator of the motor vehicle or video entertainment to the passengers in the rear seats of the motor vehicle.
- (5) **Penalty.** Any person who violates this section shall be subject to a forfeiture of Seventy Five Dollars (\$75.00).

ORD 1372 1/23/18

Sec. 8-49. Neighborhood Electric Vehicles

- (a) "Neighborhood Electric Vehicles" (NEV) means a self-propelled motor vehicle that has successfully completed the neighborhood electric vehicle America test program conducted by the Federal Department of Energy and that conforms to the definition and requirements for low speed vehicles as adopted in the Federal Motor Vehicle Safety Standards for "low-speed vehicles" under 49 CFR 572.3(b) and 571.500. "NEV" does not include an electric golf cart.

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- (b) NEV's shall be 4-wheeled and have a maximum speed range of at least 20 miles per hour and not more than 25 miles per hour on a paved surface and have a gross vehicle weight of less than 3,000 pounds.
- (c) Permitted Users. To use an NEV on City streets as set forth in (4) below, the individual must have a valid driver's license.
- (d) Permitted Use of NEV's on City Streets. A Permitted User may operate an NEV on the streets of the City of Marshfield having a posted speed limit of 35 miles per hour or less. Headlamps must be on during operation.
- (e) Operation of NEVs. The operation of NEV's shall in all respects comply with Section 8.01 - 8.110 of the City of Marshfield Municipal Code.
- (f) License. NEV's shall be licensed by the State of Wisconsin Department of Transportation and the license shall be issued to the owner of the vehicle.
- (g) Enforcement. Enforcement of this ordinance regulating the use of NEV's within the City shall be pursuant to Section 8-11 of the City of Marshfield Municipal Code.
- (h) Operation of NEVs is prohibited in those locations designated on the map attached to this ordinance.

(Ord. No. 1131, § 1, 8-26-2008; ORD 1372 1/23/18

Sec. 8-50. All-Terrain/Utility Terrain Vehicle Use.

- (1) Purpose. The purpose of this Section is to establish all-terrain and utility terrain vehicle routes in the City of Marshfield and to regulate the operation of all-terrain and utility terrain vehicles in the City of Marshfield.
- (2) Authority. The City Council of the City of Marshfield, Wood & Marathon County, Wisconsin, has the specific authority to adopt this All-Terrain and Utility Vehicle Ordinance under Wis. Stats. § 23.33(8)(b) and (11).
- (3) Definitions. For this Section, the following definitions shall be used.
 - (a) All-terrain vehicle (ATV) means a commercially designed and manufactured motor driven device that has a weight, without fluids, of 900 pounds or less, has a width of 50 inches or less, is equipped with a seat designed to be straddled by the operator, and travels on three or more low-pressure tires or non-pneumatic tires.
 - (b) City means the City of Marshfield, the City Council, Common Council, or any other City of Marshfield official(s) or agent authorized by the City Council to act on behalf of the City of Marshfield.
 - (c) Utility terrain vehicle (UTV) means any of the following:
 - 1. A commercially designed and manufactured motor driven device that does not meet federal motor vehicle safety standards in effect on July 1, 2012, that is not a golf cart, low-speed vehicle, dune buggy mini-truck, or tracked vehicle, that is designed to be used primarily off a highway, and that has, and was originally manufactured with, all the following:

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- (a) A weight, without fluids, of 3,000 pounds or less.
 - (b) Four or more low-pressure tires or non-pneumatic tires.
 - (c) A steering wheel.
 - (d) A tail lights.
 - (e) A brake lights.
 - (f) Two headlights.
 - (g) A width of not more than 65 inches.
 - (h) A system of seat belts, or a similar system, for restraining each occupant of the device in the event of an accident.
 - (i) A system of structural members designed to reduce the likelihood that an occupant would be crushed as the result of a rollover of the device.
2. A commercially designed and manufactured motor driven device to which all of the following applies:
- (a) It has a weight, without fluids, of more than 900 pounds but not more than 3,000 pounds.
 - (b) It has a width of 50 inches or less.
 - (c) It is equipped with a seat designed to be straddled by the operator.
 - (d) It travels on three or more low-pressure tires or non-pneumatic tires.
- (4) Designation of all-terrain and utility terrain vehicle routes. Pursuant to Wis. Stats. § 23.33(4)(d)4., except as otherwise provided in Wis. Stats. § 23.33(4), no person may operate an all-terrain or utility terrain vehicle on any road, freeway, or highway in the City, except on those roadways that are designated as all-terrain and utility terrain vehicle routes by this Section.
- (a) The following streets in the City of Marshfield are open to ATVs/UTVs as shown on the approved ATV/UTV map (Noted as ATV/UTV ROUTE)
 - (b) The following locations may use the shortest route to an approved route (Closest Route to and from Home/Business)
 - (c) The following streets are prohibited as follows: (ATV/UTV use Prohibited)
 - Veterans Parkway (STH 13) in its entirety.
 - Central Avenue (STH97) in its entirety (exception of a small section as noted on the official map).
 - Peach Avenue – McMillan St to 25th St
 - St Joseph Avenue – McMillan Street to Veterans Parkway.
 - Ives Street – Oak Avenue to Peach Avenue
 - Oak Avenue – 14th Street to Veterans Parkway
 - Oak Avenue / Doege Street - St Joseph Ave to McMillan St
 - 14th Street – Lincoln Ave to Central Avenue
 - Adler Road – Oak Ave to Lincoln Avenue
 - Doege Street – Oak Ave to Becker Rd
 - Becker Rd – Doege St to Galvin Avenue
 - Upham Street – St Joseph’s Avenue to Peach Avenue
 - McMillan Street – Lincoln Avenue (north) to Peach Avenue
 - 4th Street – Central Avenue to Washington Avenue
 - Washington Avenue – 4th Street to 17th Street
 - 4th Street - Veterans Parkway to Hume Avenue
 - 8th Street – Washington Avenue to Veterans Parkway
 - (d) The route(s) does not include public properties, City-owned parks, etc., except for those with designated parking areas where motorized vehicles normally park.

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- (e) The routes do not include private roads or driveways nor any private property in the City. The City shall retain the right to close any City street to ATV/UTV operation for special events or street construction/repair without notice.
 - (f) Route restrictions. Pursuant to Wis. Stats. § 23.33(8)(d), the following restrictions are placed on the use of the City all-terrain and utility terrain vehicle routes designated by this Section. Routes shall be marked with uniform all-terrain and utility terrain vehicle route signs in accordance with section NR 64.12(7), Wisconsin Administrative Code. No person may do any of the following regarding signs marking City ATV/UTV routes unless authorized to do so.
 - (g) Intentionally remove, damage, deface, move, or obstruct any uniform all-terrain and utility vehicle route or trail sign or standard or intentionally interfere with the effective operation of any uniform ATV/UTV route or trail sign or standards if the sign or standard is legally placed by the State, any municipality, or any authorized individual.
 - (h) Possess any uniform ATV/UTV route or trail sign or standard of the type established by the City for the warning, instruction, or information of the public, unless he or she obtained the uniform ATV/UTV route or trail sign or standard in a lawful manner. Possession of a uniform all-terrain and utility terrain vehicle route or trail sign or standard creates a rebuttable presumption of illegal possession.
- (5) Maintenance of all-terrain and utility terrain vehicle routes.
- (a) Designation of segments of the City road system as ATV/UTV routes does not impose upon the City a greater duty of care or responsibility for maintenance of those segments than for any other segment of City road.
 - (b) Operators of ATV/UTVs on City roads assume all the usual and normal risks of ATV/UTV operation.
 - (c) The City accepts no liability for the operation of ATVs/UTVs on any City streets under the provisions of this Section.
- (6) Operation of all-terrain and utility terrain vehicles.
- (a) Operation shall be subject to all provisions of Wis. Stats. § 23.33, which is adopted as a part of this Section by reference, pursuant to Wis. Stats. § 23.33(11).
 - (b) Operators must abide by all traffic laws unless further restricted by this Section.
 - (c) Operators will be held to the same enforcement, expectations, permissions, penalties, restrictions, in addition to all other standards adopted by Wisconsin Statutes, which apply to the offense of driving a motorized vehicle under the influence of alcohol, drugs, and/or other chemical agents which impair an operator's safe use of a motorized vehicle.
 - (d) The speed limit for ATVs and UTVs shall be established at not greater than 35 miles per hour or the speed limit for automobiles, whichever is lower, on all segments of City roads designated as ATV/UTV route.
 - (e) ATVs/UTVs may be operated on paved surfaces only, unless yielding the right-of-way.
 - (f) All ATV/UTV operators shall ride single file.
 - (g) No ATV/UTV may be operated on any designated route(s) without fully functional headlights, tail-lights, and brake lights. Headlights and taillights shall be on at all times.
 - (h) No ATV/UTV may be operated on any designated route(s) between the hours of 10:00 p.m. and 6:00 a.m. daily, unless a different restriction on hours of operation has been specified by the City and notice of the same is duly posted on the segment.
 - (i) All ATV/UTV operators shall ride on the righthand side of the paved portion of the highway, unless making a left turn. Operation on the gravel shoulders, grassy in-slope, ditches, or other highway right-of-way is prohibited, unless yielding right-of-way.

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- (j) No ATV/UTV may be operated on any designated ATV/UTV route if the ATV/UTV does not meet all applicable federal noise and air pollution standards.
 - (k) No person under the age of 16 may operate an ATV/UTV on any segment of City road which is a designated ATV/UTV route.
 - (l) No person under the age of 18 may operate an ATV/UTV on any designated route unless wearing approved protective head gear.
- (7) Licensing, insurance, and registration.
- (a) Driver's license. Every person who operates an ATV/UTV on a segment of City road which is designated as an ATV/UTV route shall have in his or her immediate possession a valid motor vehicle operator's license and shall display the license document upon demand from any law enforcement officer or official described in Wis. Stats. § 23.33(12).
 - (b) Insurance. Every person who operates an ATV/UTV on a segment of City road which is designated as an ATV/UTV route, and/or every ATV/UTV operated on a segment of City road which is designated as an ATV/UTV route, shall carry liability, and/or other insurances consistent with Wisconsin state law for the operation of a motorized vehicle.
- (8) Disturbing of the peace, and nuisance activities.
- (a) Cruising prohibited. No person shall, while operating an ATV or UTV, engage in the practice of cruising on any authorized road. Cruising is defined as running all or part of the length of a roadway multiple times, per day, back and forth, for any purpose other than departing or arriving at their residence, or place of lodging, or departing or arriving, at a public boat landing.
 - (b) Exhaust system/muffler modifications prohibited. No person shall operate on a City route any ATV/UTV unless such ATV/UTV is equipped with an adequate muffler in constant operation and properly maintained to prevent any excessive or unusual noise or annoying smoke.
 - (c) Radios or the electric sound amplification devices. No person may operate or park, stop or leave standing an ATV/UTV vehicle while using a radio or other electric sound amplification device emitting sound from the vehicle that is audible under normal conditions from 75 feet or more, unless the electric sound amplification device is being used to request assistance or warn against an unsafe condition.
- (9) Enforcement.
- (a) This Section may be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin. A copy of the ordinance from which this Section was derived shall be sent by the City Clerk to the Marshfield Police Department, the Wood & Marathon County Sheriff's Department, and the Department of Natural Resources, and any other law enforcement agency serving the City of Marshfield's jurisdiction.
 - (b) As a substitute for or in addition to forfeiture actions, the City Attorney may, on behalf of the City, seek enforcement of any and all parts of this Section by court actions seeking injunction orders or restraining orders and/or pursuing nuisance actions against the violator.
- (10) Penalties. The penalties under Wis. Stats. § 23.33(13)(a) are adopted by reference.
- (11) Severability. Should any portion of this Section be declared unconstitutional, or invalid by a court of competent jurisdiction, the remainder of this Section shall not be affected.

(Ord. No. 1486, 2-14-2023)

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Article III. Stopping, Standing and Parking

Sec. 8-76. School hours.

For purposes of this chapter, school hours are defined as being the hours between 7:30 a.m. and 4:00 p.m., Monday through Friday inclusive.

Sec. 8-77. Parking lot regulations.

(1) *Jurisdiction.* Jurisdiction over parking lots shall be as follows:

- (a) The Board of Public Works shall be ultimately responsible for the construction, reconstruction, development, maintenance and operation of the municipal parking lots in the City of Marshfield and shall have the further responsibility of providing any on-street parking which may be necessary or advisable, all of such responsibility and authority to be, however, subject to the final approval of the council.
- (b) The enforcement of all parking regulations, presently in force or subsequently enacted, shall be under the direction of the police department.

(2) *Municipal parking lots.* Parking in municipal parking lots shall be in accordance with the following:

- (a) Hours of operation. All municipal parking lots in the City of Marshfield, except the municipal lot at the Marshfield Municipal Airport, shall be unmetered parking lots, and the parking therein shall be as provided in subsection (2)(b) of this section.
- (b) Unmetered lots. Parking in the lots described in subsection (2)(a) of this section shall be limited to three hours between 8:00 a.m. and 6:00 p.m. daily. Overnight permit parking in the municipal lots shall be subject to the overnight parking restrictions set forth in section 8-79, except that the board of public works may establish overnight permit parking spaces with approval of the council. Such overnight permit parking spaces shall be designated by appropriate signs or other markings as overnight permit parking spaces. Daytime permit parking spaces shall be established by the board of public works with approval of the council and shall be designated by appropriate signs or other markings as daytime permit parking spaces. Fees for daytime and overnight parking permits shall be established by the board of public works with approval by the council. All permits shall be issued by the police department with all fees collected to be submitted to the finance director. The following table identifies the number of permits allowed for each municipal lot.

<i>Lot Address</i>	<i>Also Known As</i>	<i>Day Permits Allowed</i>	<i>Night Permits Allowed</i>
108 East Veterans Pkwy		0	0
106 South Maple	Soo Line	15	6
208 South Maple Avenue	Pacific	17	5
308 South Maple Avenue	Omaha	14	10
408 South Maple Avenue	Santa Fe	Unlimited	5
111 South Maple Avenue	Reading	20	5

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111 South Chestnut Avenue	Central	Unlimited	14
408 South Chestnut Avenue	Milwaukee	Unlimited	0
109 West 6th Street	Chicago	Unlimited	5
109 West 5th Street	Canadian	5	5
200 Block Alley	Burlington	0	0

The limitations contained in the first sentence of this subsection shall not apply to persons to whom a complimentary parking permit has been issued by the chief of police or his designee.

(Code 1982, § 7.05; Ord. No. 1054, § 1, 7-12-2005; Ord. No. 1134, § 1, 8-12-2008; ORD 1372 1/23/18)

Sec. 8-78. Parking in public places.

- (1) *Generally.* No person shall park any vehicle in public parks or public grounds belonging to the city, except in designated parking places, or park or allow any vehicle to stand in any park or public grounds in the city whether occupied or unoccupied between the hours of 2:30 a.m. and 6:00 a.m.; provided that on nights when there are dances in the Wildwood Station or other entertainments or special programs in the parks or public grounds, cars may be parked in designated parking places until such dances or other programs or entertainments are over. This section shall not apply to vehicles of bona fide campers in the public campgrounds within the city, but shall apply to parking in terraces as defined in section 13-37(1) of this Code.
- (2) *City parking areas.* No person shall park any vehicle, trailer, mobile home or other similar object on the city-owned property adjoining the city garage on the east, west and north sides. This shall not apply to:
 - (a) City-owned vehicles.
 - (b) Other vehicles owned by any person who is transacting business at the city garage.
 - (c) Vehicles owned by city employees when parked in designated areas.
- (3) *Parking for the handicapped.* Parking for the handicapped shall be in accordance with the following:
 - (a) *Definitions.* As used in this subsection, the words and phrases used shall be as defined below:
 1. Disabled person means any person disabled by paraplegia, amputation of leg, foot or both hands or if he is disabled by loss of use of a leg, foot or both hands, minimum faulty vision of 20/200 or other conditions certified by the Veterans' Administration or by a physician duly licensed to practice medicine in the state, resulting in an equal degree of disability (specifying the particular condition) so as not to be able to get about without great difficulty.
 2. Other privileged person means a licensed driver upon whom a disabled person is regularly dependent upon for transportation or any employer who provides an automobile or motor home, whether owned or leased by him, for an employee's use, who is in possession of a statement from a physician duly licensed to practice medicine, certifying that the dependent person or employee is a disabled person as defined in subsection (3)(a)1 of this section.

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- (b) *Parking exemptions.* The time limitations imposed by this chapter on parking in any street or highway zone or parking lot, whether owned or leased by the city, of one-half hour or more, shall not apply to automobiles or motor homes described as follows:
1. Bearing special registration plates issued under § 341.14(1)(la), (1m) or (1q) Wis. Stats.
 2. Bearing upon its visor or other visible location a special identification card for the physically disabled issued under § 343.51 Wis. Stats. Permits which have been issued by the Marshfield Police Department in the past shall continue to be valid for use only in the City of Marshfield until they expire, which shall not be more than three months following the effective date of the ordinance from which this section derives. Application for such special identification cards shall be on forms prescribed by the Wisconsin Department of Transportation, and shall be available at the Marshfield Police Department.
- (c) *Width of parking spaces in lots.* The director of public works or his designee shall designate two spaces in each municipal parking lot, whether owned or leased, for the parking of disabled persons or other privileged persons as defined in this subsection. Each space shall comply with Americans with Disabilities requirements.

(Code 1982, § 7.06)

Sec. 8-79. Parking upon City streets and City owned lots

- 1) *Street Parking Prohibited.*
 - a) *May 1st through October 31st.* When signs have been erected at, or reasonably near, the corporate limits of the city, as provided by § 349.13 Wis. Stats., informing motorists that parking limitations exist, , motor vehicles will be allowed to park unless otherwise signed.
 - b) *November 1st through April 30th.* All regulations as stated in 8-79 (1) listed above shall apply with the following exceptions:

No person shall park any vehicle on any street in the city between the hours of 2:30 AM and 6:00 AM except emergency vehicles and physicians on an emergency call, and except as permitted pursuant to Section 8.08 of this Code.

- c) Trailers, boats, vehicles, or any vehicle accessory or attachment which is not self-propelled shall not be parked overnight (2:30 AM to 6:00 AM) on any city streets or municipal parking lot. Trailers, boats, vehicle accessories and/or attachments affixed to a motor vehicle, shall be subject to the restrictions within this section and limited to one forty-eight hour time period after which time, the trailer, vehicle, accessory or attachment must be removed.
- 2) *City-owned lots.* No person shall park any vehicle on any city-owned parking lot between the hours of 1:00 a.m. and 6:00 a.m. of any day, or 2:00 a.m. and 6:00 a.m. of any day during daylight saving time, except as follows:

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- (a) Those spaces in each city-owned lot as designated by the board of public works if a permit has been issued for such spaces as provided in section 8-77(2) of this Code.
- (b) Those spaces in each city-owned lot as designated by the board of public works.

3) *Snow emergency.* This section does not apply in the event a snow emergency is declared pursuant to section 13-35(3).

(Code 1982, § 7.07; Ord. No. 1174, § 1, 2-9-2010; 1242 03/12/13; 1372 1/23/18)

Sec. 8-80. Parking type.

Parking on streets shall comply with § 346.54 Wis. Stats. On those streets which have been designated for angle parking, vehicles shall be parked at the angle to the curb indicated by appropriate marks or signs, provided that no part of any vehicle, its contents or load shall extend beyond the limits designated for such parking. The following areas are designated for angle parking:

- (1) On West Blodgett Street between Chestnut Avenue and Walnut Avenue.
- (2) On the south side of West Depot Street between Central Avenue and Chestnut Avenue.
- (3) On the south side of West 2nd Street between Central Avenue and Chestnut Ave.
- (4) On the south side of East 2nd Street between Central Ave and Maple Avenue.

(Code 1982, § 7.08; Ord. No. 955, § 1, 12-18-2001)

Sec. 8-81. Safety zones and loading zones; specific parking permits.

- (1) *Established.* The board of public works shall 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. The board of public works may, in coordination with the chief of police and director of public works, also issue parking permits for such other specific purposes and at such places as it deems reasonable and necessary.
- (2) *Marking.* The board of public works shall require the director of public works to mark lanes for traffic on street pavements at such places as it may deem advisable, consistent with the provisions of this section.
- (3) *Restricted parking zones.* The board of public works may establish restricted parking zones to prohibit parking any vehicles except passenger automobiles in the parking space on each side of any street or alley where parking stalls are marked.

(Code 1982, § 7.15; ORD 1732 1/23/18)

Sec. 8-82. Bus and taxicab parking.

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No operator of any bus or taxicab shall stand or park upon any street in any business district at any place other than at a bus stop or taxicab stand, respectively, except that the operator of such vehicle shall temporarily stop in accordance with other parking regulations at any place for the purpose of and while actually engaged in loading or unloading passengers. Bus and/or taxicab stands may be designated by the board of public works, with the concurrence of the chief of police.

(Code 1982, § 7.18)

Sec. 8-83. Electric Vehicle Parking.

- (1) No operator of any vehicle other than an electric vehicle (EV) shall stop, stand or park upon any parking space specifically marked reserved for Electric Vehicles ONLY as designated by the board of public works.
- (2) Electric vehicles utilizing parking spaces specifically reserved for Electric Vehicles ONLY may exceed the posted parking timelines and the nighttime parking restrictions while utilizing the electric vehicle charging stations.

Secs. 8-84—8-110. Reserved.

Article IV. Bicycles and Skating

Sec. 8-111. Regulation of bicycles.

In addition to the requirements contained in § 347.489 Wis. Stats. adopted by reference in section 8-01 of this chapter, the following regulations will apply to bicycles:

- (1) *Registration.* Upon acquisition of a bicycle, registration and reregistration shall be made by filing with the police department the name and address of the owner, together with a complete description of the bicycle, on forms provided by such department, as a public record. Upon such registration the department shall cause an identification tag to be affixed to the bicycle, serially numbered to correspond to the registration number. Such tag shall remain affixed to the bicycle unless removed by the department for cause or for retagging upon reregistration.
- (2) *Term, fee.* Registration shall be for a period of five years, commencing January 1, and shall be renewed at the end of each five-year period. All such registrations shall expire on December 31 of the applicable five-year period, and all bicycles shall be reregistered in the same manner commencing at the beginning of the prior five-year period. In case of theft or loss of the registration tag, a duplicate shall be issued for a free of charge. No person shall willfully remove, deface or destroy any such identification tag.
- (3) *Right-of-way.* No person shall ride or propel any bicycle upon any part of any public street, highway, boulevard, sidewalk or alley in such a manner as to interfere with the rights of other

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persons using such street, highway, boulevard, sidewalk or alley, or in any other than a careful and prudent manner.

- (4) *Speed.* No bicycle shall be ridden upon any public street, highway, boulevard or alley at a speed faster than is reasonable and proper for traffic conditions at the time, and every bicycle shall be operated with due regard to the safety of the operator and others upon the streets, highways, boulevards and alleys of the city.
- (5) *Rules of the road.* Persons riding or propelling bicycles shall observe all traffic signs and signals and stop when and as required by such traffic signals and signs, shall signal for all turns and stops, ride at the right-hand side of the street or highway as near as may be to the street curb, pass to the left when passing vehicles or bicycles which are slower moving and on the right side when meeting. No person shall operate a bicycle upon any public street, highway, boulevard or alley abreast of or to the left of another person operating a bicycle except while passing such bicycle.
- (6) *Hours of operation.* No person under the age of 12 shall operate a bicycle upon any public street, highway, boulevard or alley between the hours of 9:00 p.m. and 5:00 a.m.
- (7) *Method of operation.* It shall be unlawful to operate a bicycle without at least one hand on the handlebars.
- (8) *Sidewalk operation.* It shall be unlawful for any person to operate a bicycle on any sidewalk in the City of Marshfield, except as provided by the Administrative Code of Traffic and Parking Regulations, and then only if operated with due care and caution.
- (9) *Penalties.* Penalties for violation of this section shall be as follows:
 - (a) Any person over the age of 15 years who shall violate the provisions of this section shall, upon conviction thereof, pay a forfeiture as prescribed by section 1-05 of this Code, plus the costs of prosecution. The maximum forfeiture shall not exceed the maximum forfeiture provided by the applicable Wisconsin Statute.
 - (b) Persons of the age of 14 and 15 years who shall violate the provisions of this section shall be ordered to appear in Marshfield Municipal Court and shall pay a forfeiture as prescribed by section 1-05 of this Code, except that the maximum shall not exceed the maximum permitted by the applicable Wisconsin Statute. Jurisdiction of offenses defined in this subsection shall be in the Marshfield Municipal Court of Wood County, Wisconsin.
 - (c) Parents or legal guardians of persons under the age of 14 years shall be held responsible for such child's violations of the provisions of this section as provided in § 346.77Wis. Stats. and, in the event of a conviction of such child for a violation of the provisions of this section, shall pay a forfeiture as provided by section 1-05 of this Code. The forfeiture, in any event, shall not exceed the maximum set forth in the applicable Wisconsin Statute.
- (10) Commercial Quadricycles may be operated within the City of Marshfield as provided for in §396.94 Wis. Stats. which is hereby adopted in its entirety, except that Commercial Quadricycles may only operate within the City of Marshfield from dawn to dusk.

(Code 1982, § 7.19; Ord. No. 936, § 3, 4, 8-13-2002; Ord No 1346 5/23/17)

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Sec. 8-112. Regulation of skateboards, inline skates (roller blades and roller skis) and roller skates.

All on-street operation of skateboards, inline skates (roller blades and roller skis) and roller skates shall be conducted as far to the right of the traffic lane as possible, in a single file and flowing with traffic. All operations of these skateboards, inline skates and roller skates shall be during daylight hours unless the operator has a white light showing to the front and is wearing some type of reflective clothing or reflective strips on his/her clothing which can be seen from a distance of 500 feet to the rear and side. Further, all operation shall be consistent with rules of the road established for bicycles. Skateboards, inline skates and roller skates shall be allowed on all city streets and sidewalks except as provided by the Administrative Code of Traffic and Parking Regulations.

(Code 1982, § 7.191; Ord. No. 936, § 3, 4, 8-13-2002)

Secs. 8-113—8-140. Reserved.

Article V. Snowmobiles

Sec. 8-141. Operation.

- (1) *State snowmobile laws adopted.* Except as otherwise specifically provided in this chapter, the statutory provisions describing and defining regulations with respect to snowmobiles in the state statutes and section 8-01 of this Code are hereby adopted by reference and made part of this section as if fully set forth in this section. Acts required to be performed or prohibited by such statutes are required or prohibited by this section.
- (2) *Applicability of rules of the road to snowmobiles.* The operator of a snowmobile upon a roadway shall, in addition to the provisions of chapter 350 Wis. Stats., be subject to §§ 346.04, 346.06, 346.11, 346.14(1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50(1)(b), 346.51, 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92(1) and 346.94(1) and (9) Wis. Stats.
- (3) *Permitting operation by improper persons prohibited.* No owner or person having charge or control of a snowmobile shall authorize or permit any person to operate such snowmobile who is incapable by reason of age, physical or mental disability, or is under the influence of intoxicating liquor, fermented malt beverages or controlled substances.
- (4) *Written consent of owner required.* The consent required under § 350.10(1)(f) Wis. Stats. shall be written consent dated and limited to the year in which the consent is given. If the property is owned or leased by more than one person, the consent of each shall be obtained.
- (5) *Routes designated.* Except as provided in §§ 350.02 and 350.03 Wis. Stats., no person shall operate a snowmobile upon any public right-of-way, in any public park or on any other public

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property in the city except on marked routes, trails, or areas as are authorized and designated in the Administrative Code of Traffic and Parking Regulations, except operation of snowmobiles on public streets is authorized when the operator is proceeding directly to or from an otherwise approved route and that distance does not exceed ten city blocks. Snowmobiles operating on public streets shall operate on the extreme right side of the roadway, to the extent possible.

- (6) *Speed.* No person shall operate a snowmobile within the city in excess of 15 miles per hour on those routes designated in subsection (5) of this section.
- (7) *Hours of operation.* No person shall operate a snowmobile within the city between 12:30 a.m. and 7:00 a.m.
- (8) *Unattended vehicles.* No person shall leave or allow a snowmobile owned or operated by him to remain unattended on any public highway or public property while the motor is running or with the starting key left in the ignition.
- (9) *Operation on sidewalks or malls prohibited.* No person shall operate a snowmobile on any sidewalk, pedestrian way or mall within the city.
- (10) *Operation on private premises restricted.* No person shall operate a snowmobile on any private property within the city not owned or controlled by him without the express permission of the owner.

(Code 1982, § 7.21; Ord. No. 936, § 5, 8-13-2002; ORD 1372 1/12/18)