

CHAPTER 7
TRAFFIC CODE

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7.01 STATE TRAFFIC LAWS ADOPTED. Except as otherwise specifically provided in this chapter, the statutory provisions in Chs. 340 to 348 and 350, Wis. Stats., and TRANS 305, Wis. Adm. Code, describing and defining regulations with respect to vehicles, exclusive of those provisions for which the statutory penalty is a fine or term of imprisonment, are hereby adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any regulation incorporated herein by reference is required or prohibited by this chapter. Any future amendments, revisions or modifications of the statutory regulation in Chs. 340 to 348 and 350 incorporated herein are intended to be made part of this chapter in order to secure to the extent legally practicable, uniform statewide regulation of vehicle traffic on the highways, streets and alleys of Wisconsin.

7.02 OFFICIAL TRAFFIC CONTROL DEVICES.

(1) INSTALLATION. Whenever traffic control regulations created by this chapter, including any State traffic regulations adopted by reference in §7.01, require the erection of traffic control devices for enforcement, the Highway Department shall procure, erect and maintain uniform traffic control devices conforming to the Uniform Traffic Control Device Manual promulgated by the Wisconsin Department of Transportation, giving notice of such traffic regulations to the users of the streets and highways on which such regulations apply. Whenever State law grants discretion to local authorities in erection or placement of uniform traffic control devices, devices shall be erected in such locations and manner as in the judgment of the Highway Department will carry out the purpose of this chapter and give adequate warning to users of Town streets and highways.

(2) PROHIBITED SIGNS AND MARKERS IN HIGHWAYS. No person, other than an officer authorized by this chapter to direct and maintain official traffic control devices or

his designee, shall place within the limits of any street or highway maintained by the Town any sign, signal marker, mark or monument unless permission is first obtained from the Police Department. Any sign, signal marker, mark or monument placed or maintained in violation of this subsection shall be subject to removal as provided in sub. (3).

(3) REMOVAL OF UNOFFICIAL SIGNS, MARKERS, SIGNALS AND TRAFFIC CONTROL DEVICES. The Town Highway Department may remove any sign, signal, marking or other device, which is placed, maintained or displayed in violation of this chapter or State law. Any charge imposed against premises for removal of a prohibited or illegal sign, signal, marking or device shall be reported by the Highway Department to the Town Board for review and certification at its next regular meeting following imposition of the charge. Any charge not paid on or before the following November 15 shall be placed upon the Town tax roll for collection as other special taxes is collected.

7.03 SPEED LIMITS. **(1)** No person shall operate any motor vehicle at speeds in excess of the following speed limits on Town roads:

(a) ANY AND ALL TOWN-OWNED FRONTAGE ROADS AND RESIDENTIAL STREETS - 25 MILES PER HOUR.

1. *Doral Rd.* (E-W) from Watertown Road west to Springdale Rd.
2. *Davidson Rd.* (E-W) from City of Brookfield limits to City of Waukesha limits.
3. *Weyer Rd.* (E-W) (Cr. 04/20/1999)

(b) 30 MILES PER HOUR.

1. *Brookfield Rd.* (N-S) from Bluemound Road, north to the City of Brookfield limits. (Cr. 11/08/2000)
2. *Swenson Dr.* from Kossow Road to Barker Road. (Cr. 05/06/1997)

(c) 35 MILES PER HOUR.

1. *Brookfield Rd.* (N-S) from 1-94 Overpass, north to City of Brookfield limits. (Cr. 11/08/2000)
2. *Springdale Rd.* from City of Brookfield limits (20) (2400 blk.) to Green Rd.
3. *Watertown Rd.* (E-W) from Springdale Rd. southeasterly and easterly to Barker Rd. (Cr. 11/08/2000)

(c) 40 MILES PER HOUR.

1. *Gumina Rd.* (E-W). (Cr. 11/08/2000)

(d) 45 MILES PER HOUR.

1. *Springdale Rd.* (N-S) from CTH "JJ" to City of Brookfield limits.

(2) FEDERAL, STATE AND COUNTY SPEED LIMITS ADOPTED.**(a) FEDERAL HIGHWAYS.**

1. *U.S. 18* (E-W) from Woelfel to Kossow Rd. -45 mph.

(b) STATE HIGHWAYS.

1. *STH 59*, Greenfield Ave. (E-W), from Davidson Rd. to Barker Rd., CTH Y - 45 mph.
2. *STH 190*, Capitol Dr. (E-W), from Springdale Rd. to City of Brookfield limits - 55 mph.

(c) COUNTY HIGHWAYS.

1. *CTH Y*, Barker Rd. (N-S) from 1100 N. block south to Bowling Green Dr. - 35 mph.
2. *CTH Y*, Baker Rd. (N-S) from Bowling Green Dr. south to Greenfield Av. - 40 mph.
3. *CTH JJ* (E-W) from U.S. 18 to 1-94 overpass - 45 mph.
4. *CTH Y*, Baker Rd. (N-S) from Capitol Dr. to River Rd. -50 mph.
5. *CTH K*, Lisbon Rd., from 19600 blk. to 19900 blk. eastbound only - 55 mph.

(d) CLASS "B" HIGHWAYS. All Town Highways within the Town of Brookfield are Class "B" Highways and are subject to the restrictions as outlined in §348.15 and §348.16 Wis. Stats.

1. **Exceptions.** The following Town Highways are exempt from Class "B" Highway status:

<i>Bahcall Court</i>	<i>Sommer Drive</i>
<i>Crossroads Circle</i>	<i>North Springdale Road</i>
<i>Doral Road</i>	<i>Swenson Drive</i>
<i>South Janacek Road</i>	<i>Watertown Road</i>
<i>Janacek Court</i>	<i>Watertown Court</i>
<i>Larry Court</i>	

7.04 THROUGH HIGHWAY AND CONTROLLED INTERSECTIONS. In the interest of public safety and pursuant to authority granted by Wisconsin law, the following highways or portions are declared to be through highways:

1. *CTH K*, Lisbon Rd. (E-W)
2. *CTH Y*, Barker Rd. (N-S)
3. *I-94* (E-W)
4. *STH 59*, Greenfield Av. (E-W)
5. *STH 190*, Capitol Dr. (E-W)
6. *U.S. 18* (E-W)

7.05 STOP SIGNS. (1) VEHICLES TO STOP. No operator of any vehicle or device in, upon or by which any person or property is or may be transported or drawn upon any public highway shall fail to come to a full and complete stop within 30' of the main limits of the intersection at which has been erected an official stop sign or traffic signal designating an artery for such traffic.

(2) ARTERIAL STOPS DESIGNATED. The following street intersections are arterial stops within the Town:

1. *Bahcall Ct. and Doral Rd.* One sign on the northeast corner of Bahcall Ct. at the intersection of Doral Rd.
2. *Black Forest Dr. (E-W) at Brookfield Rd. (N-S).* "T" intersection. One sign located SW corner requiring only eastbound traffic on Black Forest to stop at intersection.
3. *Bowling Green Rd. (E-W) at S. Barker Rd.*
4. *CTH Y, (N-S).* "T" intersection. One sign located SW corner requiring only eastbound traffic on Bowling Green to stop.
5. *Bramblewood Dr. (E-W) at Timber Pass (N-S).* "T" intersection. Three signs located SW. SE and NW corners of intersection requiring all traffic to stop before entering intersection. Three- (3) way stop.
6. *Briar Ridge Dr. (E-W) at Janacek Rd. (N-S).* "+" type intersection. Two signs located SW and NE corners requiring both directions of traffic on Briar Ridge to stop. Traffic on Janacek does not stop.
7. *Brook Park Dr. (E-W) at N. Barker Rd. CTH Y (N-S).* "T" intersection. One sign located SW corner requiring only eastbound traffic on Brook Park to stop.
8. *Brook Park Dr. (N-S) at Watertown Rd. (E-W).* "T" intersection. One sign located NW corner requiring only southbound traffic on Brook Park to stop.
9. *Brook Park Dr.* eastbound at the intersection of Gray Fox Dr. (southwest corner). (Cr. 08/15/89)
10. *Brook Park Dr.* westbound at the intersection of Gray Fox Dr. (northeast corner). (Cr. 08/15/89)
11. *Calico Court at Springdale Rd. (E-W) (N-S).* "T" intersection. One sign located on NE corner requiring westbound traffic on Calico Ct. to stop.
12. *Capitol Drive (5th 190) (E-W) at Barker Rd.*
13. *(CTH Y) (N-S).* "T" intersection. One sign located on SW corner requiring traffic turning south onto Barker Rd. from Capitol Dr. to stop.
14. *Clearfield Dr. (E-W) at Harmony Cir. (N-S).* "+" intersection. Four signs located NE. SE. SW and NW corners requiring all traffic to stop before entering intersection. (Cr. 08/02/88)

15. *Clearfield Rd. (E- W) at Springdale Rd. (N-S)*. "T" intersection. One sign located NE corner requiring only westbound traffic on Clearfield to stop.
16. *Crossroad Circle, East, at Swenson Dr.*, northbound.
17. *Crossroad Circle, West, at Swenson Dr.*, northbound.
18. *Dancy Road (E-W) at Kossow Rd. (N-S)*. "T" intersection. One sign located on NE corner requiring westbound traffic on Dancy Rd. to stop.
19. *Davidson Rd. (E-W) at Kossow Rd. (N-S)*. "+" type intersection. Two signs located SW and NE corners requiring both directions of traffic on Davidson to stop.
(Cr. 7/16/85)
20. *Davidson Rd. and Springdale Rd.* One sign on the southwest corner of Davidson at the intersection of Springdale.
21. *Davidson Rd. at (E-W) Dona Vista Dr. -Hillcrest Dr. (N-S)*. "+" type intersection. Four signs located NE, SW, SE, and NW corners requiring all traffic to stop.
22. *Doneswood Drive at Sunnycrest Drive*. One (1) yield sign controlling eastbound traffic on Doneswood Drive. (Cr. 09/07/1993)
23. *Doneswood Dr. (E-W) at Copenhill Dr. (N-S)*. "+" intersection. Two signs at NE and SW corners requiring both directions of traffic on Doneswood to stop. Traffic on Copenhill does not stop.
24. *Doneswood Ln.* westbound at the intersection of Pioneer Trail located on the northeast corner requiring westbound traffic to stop. (Cr. 06/18/1996)
25. *Doral Rd. (E-W) at Springdale Rd. (N-S)*. "T" intersection. One sign located NE corner requiring westbound traffic on Doral to stop.
26. *Doral Rd. (N-S) at Watertown Rd. (E-W)*. "T" intersection. One sign located SE corner requiring only northbound traffic on Doral to stop.
27. *Eble Park Drive, East (N-S) at Bluemound Rd. (USH 18). (E-W)*. "T" intersection. One sign located on NW corner requiring southbound traffic on Eble Park Drive to stop at intersection.
28. *Eble Park Drive, West (N-S) at Bluemound Rd. (USH 18) (E-W)*. "T" intersection. One sign located on NW corner requiring southbound traffic on Eble Park Drive to stop at intersection.
29. *Follett Dr. (E-W) at Brookfield Rd. (N-S)*. "T" intersection. One sign located NE corner requiring only westbound traffic on Follett to stop.
30. *Foxhaven Run at Springdale Rd.*, northeast corner.
31. *Foxhaven Run at Watertown Rd.*, southwest corner.
32. *Frontage Road (N-S) at Capitol Dr. (STH 190) (E-W)*. "T" intersection. One sign located on SE corner requiring northbound traffic on Frontage Road to stop at intersection.
33. *Galleria West Frontage Road (E-W) at Brookfield Rd. (N-S)*. "T" intersection. One sign located on SW corner requiring only eastbound traffic on Frontage Road to stop at intersection.
34. *Galleria West Frontage Road (E-W) at Acura of Brookfield Driveway (N-S)*. "T" intersection. One sign located on NE corner requiring only westbound traffic on Frontage Road to stop.
35. *Galleria West Frontage Road (N-S) at Bluemound Rd. (USH 18) (E-W)*. "T" intersection. One sign located on NW corner requiring southbound traffic on Frontage Road to stop at intersection.
36. *Gaywood Drive and Gaywood Court Intersection*. Three-way stop sign requiring traffic southbound on Gaywood court and eastbound and westbound on Gaywood Drive to stop. (Cr. 06/15/1999)
37. *George Hunt Circle* southbound at the intersection of Davidson Rd. and Hi- Ridge Ave
38. *George Hunt Circle* southbound at the intersection of Davidson Rd. and Summit Dr.
39. *Goerke's Corners Commuter Lot Exit E/B at Barker Rd., CTH Y.* "T" intersection. One sign located SW corner for traffic exiting commuter lot to stop before entering north or southbound Barker. Traffic on Barker does not stop.
40. *Gray Fox Dr.* southbound at the intersection of Brook Park Dr. (northwest corner).
41. *Greendale Road (E-W) at Kossow Rd. (N-S)*. "T" intersection. One sign located on SW corner requiring eastbound traffic on Greendale Rd. to stop.
42. *Hallendale Drive (N-S) at Watertown Rd. (E-W)*. "T" intersection. One sign located on NW corner requiring southbound traffic on Hallendale Dr. to stop.
43. *Heatherview Drive* eastbound at the intersection of Brook Park Drive located on the southwest corner requiring eastbound traffic to stop. (Cr. 08/04/1998)
44. *Hi Ridge Drive (N-S) at Davidson Rd. (E-W)*. "T" intersection. One sign located on SE corner requiring northbound traffic on Hi Ridge Dr. to stop.

45. **Highland Pass (E-W) at Pitzka Rd. (N-S).** "T" intersection. One sign located on NE corner requiring westbound traffic on Highland Pass to stop.
46. **Hillcrest Drive (N-S) at Davidson Rd. (E-W).** "T" intersection. One sign located on SE corner requiring northbound traffic on Hillcrest Dr. to stop.
47. **Holly Crest Drive (E-W) at Springdale Rd. (N-S).** "T" intersection. One sign located on NE corner requiring westbound traffic on Holly Crest Dr. to stop.
48. **Jaclyn Dr.** One sign on the northwest corner of Jaclyn Dr. at the intersection of Mary Lynn Dr. (Cr. 09/21/1993)
49. **Janacek Court (E-W) at Janacek Rd. (N-S).** "T" intersection. One sign located on NE corner requiring only westbound traffic on Janacek Ct. to stop at intersection.
50. **Kossow Rd. and Dancy Rd.** One (1) stop sign on the southeast corner of Kossow Road at the intersection of Dancy Road. (Cr. 11/15/1994)
51. **Kossow Rd. and Greendale Dr.** One (1) stop sign on the northwest corner of Kossow Road at the intersection of Greendale Drive requiring westbound traffic to stop. (Cr. 11/15/1994)
52. **Kossow Rd. (NE-SW) at Swenson Rd.** One sign located SW corner of intersection requiring NE bound traffic on Kossow Rd. to stop.
53. **Kossow Rd.-Sunnycrest Dr. (N-S) at Davidson Rd. (E-W).** "+" type intersection. Two signs located SE and NW corners of intersection requiring north and southbound traffic to stop.
54. **Lansdowne Court (N-S) at Watertown Rd. (E-W).** "T" intersection. One sign located on NW corner requiring southbound traffic on Lansdowne Ct. to stop.
55. **Lark Spur Dr.** westbound at the intersection of Barker Rd.
56. **Larry Ct. (N-S) at Watertown Rd. (E-W).** "T" intersection. One sign located SE corner requiring only northbound traffic on Larry Ct. to stop.
57. **Linden In. (N-S) at Davidson Rd. (E-W).** "+" type intersection. Two signs located NW and SE corners requiring both directions of traffic to stop on Linden Ln. Traffic on Davidson does not stop.
58. **Longview Dr. (east end) at U.S. 18.** "T" intersection. One sign located SE corner requiring traffic on Longview Dr. to stop before proceeding onto U.S. 18. Traffic on U.S. 18 does not stop.
59. **Maple Ridge In. (N-S) at Wisconsin Ave. (E-W).** "T" intersection. One sign located NW corner requiring only southbound traffic on Maple Ridge to stop at intersection.
60. **Mary Lane (N-S).** One sign at the southeast corner of Mary Lane at the intersection of Black Forest Dr. Northbound traffic on Mary Lane will be required to stop.
61. **Mary Lynn Dr. (N-S) at Watertown Rd. (E-W).** "T" intersection. One sign located NW corner intersection requiring only southbound traffic on Mary Lynn to stop.
62. **Mary Rose Ct. (N-S) at Wisconsin Ave. (E-W).** "T" intersection. One sign located NW corner requiring only southbound traffic on Rackwood Ct. to stop.
63. **Marx Park** exit westbound at S. Barker Rd.
64. **Mayrose Blvd. (E-W) at Springdale Rd. (N-S).** "T" intersection. One sign located NE corner of intersection requiring only westbound traffic on Mayrose to stop.
65. **Oakmont Ln. (E-W) at Springdale Rd. (N-S).** "T" intersection. One sign located NE corner requiring only westbound traffic on Oakmont to stop.
66. **Park Lawn Ct. (N-S) at U.S. 18 (E-W).** "T" intersection. One sign located SE corner requiring only northbound traffic on Park Lawn to stop.
67. **Peterhill Court (E-W).** One sign at the southwest corner of the intersection with Springdale Rd. Eastbound traffic on Peterhill Court will be required to stop.
68. **Pioneer Trail** northbound at the intersection of Doneswood Lane located on the southeast corner requiring northbound traffic to stop. (Cr. 06/18/1996)
69. **Pioneer Trail** southbound at the intersection of Doneswood Lane located on the northeast corner requiring southbound traffic to stop. (Cr. 06/18/1996)
70. **Pioneer Trail** westbound at the intersection of Springdale Rd.
71. **Pitzka Rd. (N-S) at Watertown Rd. (E-W).** "T" intersection. One sign located NW corner requiring only southbound traffic on Pitzka to stop.
72. **Poplar Creek Dr. (E-W) at S. Barker Rd. CTH Y (N-S).** "T" intersection. One sign located NE corner requiring only traffic westbound on Poplar Creek to stop.
73. **Poplar Creek Dr. (N-S) at Davidson Rd. (E-W).** "+" type intersection. Two signs located NW and SW corners requiring both northbound and southbound traffic on Poplar Creek to stop before entering intersection. Traffic on Davidson does not stop.

- 74. Rackwood Ct. (N-S) at Wisconsin Ave. (E-W).** “T” intersection. One sign located NW corner requiring only southbound traffic on Rackwood to stop.
- 75. Ravenswood Hills Cir., East (N-S) at Davidson Rd. (E-W).** “T” intersection. One sign located NW corner requiring only southbound traffic on E. Ravenswood Hills to stop.
- 76. Ravenswood Hills Cir., West (N-S) at Davidson Rd. (E-W).** “T” intersection. One sign located NW corner requiring only southbound traffic on W. Ravenswood Hills to stop.
- 77. Ridge Rd. (E-W).** One sign at the southwest corner of the intersection with Springdale Rd. Eastbound traffic on Ridge Rd. will be required to stop.
- 78. Ridge Rd. and Cherokee Drive.** One (1) stop sign on the northwest corner of Cherokee Drive at the intersection of Ridge Road. (Cr. 09/05/1995)
- 79. Rip Van Winkle Dr. (E-W). at S. Barker Rd., CTH Y (N-S).** “T” intersection. One sign located SW corner requiring eastbound traffic on Rip Van Winkle to stop.
- 80. River Road (E-W) at N. Barker Rd. CTH "Y" (N-S).** “T” intersection. Two signs located NE and SE corners requiring only westbound traffic on River Road to stop before proceeding north or south onto Barker. Traffic on Barker does not stop.
- 81. Rolling Green Dr. (E-W) at Westbrook Parkway (N-S).** “+” intersection. One sign located at SE corner of Rolling Green and Westbrook Parkway stopping eastbound traffic on Rolling Green and one sign at NE corner of Rolling Green and Westbrook Parkway stopping westbound traffic on Rolling Green.
- 82. Russett Dr. (N-S).** One sign at the southeast corner of Russett and Mary Lane & Timberline Dr. Northbound traffic on Russett will be required to stop.
- 83. Scarlet Hawthorne Rd. (E-W) at S. Barker Rd., CTH Y (N-S).** “T” intersection. One sign located NE corner requiring only westbound traffic on Scarlet Hawthorne to stop.
- 84. Sierra Dr. (N-S) at Watertown Rd. (E-W).** “T” intersection. One sign located NW corner requiring only southbound traffic on Sierra to stop.
- 85. Sommer Dr. (E-W) at Janacek Rd. (N-S).** “T” intersection. One sign located SW corner requiring only eastbound traffic on Sommer to stop.
- 86. Springdale Rd. (N-S) at Davidson Rd. (E-W).** “T” intersection. One sign located SE corner requiring only northbound traffic on Springdale to stop.
- 87. Springdale Rd. (N-S).** One sign at the southeast corner of Springdale and Peterhill Ct. northbound traffic on Springdale will be required to stop.
- 88. Springdale Rd. (N-S).** One sign at the northwest corner of Springdale and Peterhill Ct. Southbound traffic on Springdale will be required to stop.
- 89. Springdale Rd. (N-S).** One sign at the southeast corner of Springdale and Pioneer Ct. Northbound traffic on Springdale will be required to stop.
- 90. Springdale Rd. (N-S).** One sign at the southeast corner of Springdale and Ridge Rd. Northbound traffic on Springdale will be required to stop.
- 91. Springdale Rd. (N-S).** One sign on the northwest corner of Springdale and Ridge Rd. Southbound traffic On Springdale will be required to stop.
- 92. Springdale Rd. (N-S).** One sign at the northwest corner of Springdale and Stonefield Ct. southbound traffic on Springdale will be required to stop.
- 93. Springdale Rd. (N-S) at Watertown Rd. (E-W).** “+” type intersection. Five signs, three (3) located in the Town of Brookfield NE and SE corners and two (2) located in the Town of Pewaukee NW and SW corners. All traffic is required to stop before entering the intersection. Four way stop.
- 94. Stonefield Ct. (E-W).** One sign at the southwest corner of the intersection with Springdale Rd. Eastbound traffic on Stonefield will be required to stop.
- 95. Summit Dr. (N-S) at Davidson Rd. (E-W).** “T” intersection. One sign located SE corner requiring only northbound traffic on Summit to stop.
- 96. Watertown Ct. (N-S) at Watertown Rd. (E-W).** “T” intersection. One sign located SE corner requiring northbound traffic only on Watertown Ct. to stop.
- 97. Westbrooke Parkway (N-S) at Davidson Rd. (E-W).** “T” intersection. One sign located SE corner requiring only northbound traffic on Westbrooke Parkway to stop.
- 98. Weyer Rd. (E-W) at Town Line Rd. (N-S).** “T” intersection. One sign NE corner requiring westbound traffic on Weyer to stop. Traffic on Town Line and eastbound Weyer does not stop.
- 99. Wisconsin Avenue (E-W) at Woelfel Road (N-S) - Four Way Stop** - “+” type intersection. Four (4) signs, one (1) sign located on the SE corner, one (1) sign located on the NE corner, one (1) sign located on the NW corner, and one (1) sign located at the SW corner. All traffic is required to stop before entering the intersection.
- 100. Wray Park** exit southbound at Mary Lynn Drive.

(3) YIELD SIGN LOCATIONS. The following intersections of highways within the Town shall be subject to the control of yield signs:

1. **Brookfield Road at Bluemound Rd.** (USH 18) four way signs for right turns.
2. **Cologne Rd. at Sunnycrest Dr.** One (1) sign controlling eastbound traffic on Cologne.
3. **CTH Y Barker Rd. at U.S. 18 Bluemound Rd.** Four signs controlling any right turn traffic.
4. **Doneswood Dr. at Sunnycrest Dr.** One (1) sign controlling eastbound traffic on Doneswood Dr.
5. **Golden Meadow Glen (N-S) at Brook Park Drive (E-W).** One sign located on NW corner requiring southbound traffic on Golden Meadow Glen to yield.
6. **Greenridge Terrace at Highland Pass.** Two signs controlling northbound and southbound traffic on Greenridge.
7. **Hawthorne Ridge Dr. at Highland Pass.** One sign controlling southbound traffic on Hawthorne Ridge.
8. **Heatherview Dr. at Brook Park Dr.** One (1) sign controlling eastbound traffic on Heatherview.
9. **Hunters Run at Brook Park Dr.** One sign controlling northbound traffic on Hunters Run -Both sides.
10. **Janacek Road at Bluemound Rd.** (USH 18) four way signs for right turns.
11. **Sunnycrest Ln. at Belgren Rd.** One sign controlling northbound traffic on Sunnycrest.
12. **Woelfel Road at Bluemound Rd.** (USH 18) Signs located on NW and NE corners for right turns.

(3) OBSTRUCTION OF FIRE HYDRANTS PROHIBITED.

No person shall permit an obstruction of any kind, temporary or permanent, within a distance of fifteen (15) feet either side of the centerline of any hydrant, or at any point between those distances and the centerline of any public right-of-way. (Cr. 10/05/1993)

(4) OPERATORS TO OBEY TRAFFIC CONTROL DEVICES.

Every operator of a vehicle approaching an intersection at which an official traffic control device is erected in accordance with this section and this chapter shall obey the directions of such official traffic control device as required by the Wisconsin Statutes incorporated by reference in §7.01 of this chapter. Operators of vehicles approaching a stop sign shall stop before entering a highway as required by §346.46, Wis. Stats. Operators approaching intersections at which a yield sign has been installed shall yield the right-of-way to other vehicles as required by §346.18(6), Wis. Stats.

7.06 PARKING LIMITATIONS. (1) STATUTES ADOPTED. The restrictions on stopping and parking vehicles found in §§346.50 through 346.55, Wis. Stats., are hereby adopted by reference and made a part of this section with the same effect as if fully set forth herein. For the purpose of this section, the definitions of words and phrases contained in Ch. 346, Wis. Stats., are hereby adopted and by reference with the same effect as if fully set forth herein. In addition, any area marked temporarily by the Town Police Department with no parking or tow away signs shall be included in the areas where parking is prohibited as described in the above-adopted references.

(2) NO PARKING ZONES. (a) MAY BE ESTABLISHED.

No owner or operator of any vehicle or device in, upon or by which any vehicle or property is or may be transported or drawn upon any public highway shall park, stop or leave standing any such vehicle or device at the curb, shoulder, roadway or fire lane in the Town upon which or upon a portion of which a "no parking" sign has been erected designating the limits or area within which there is to be no parking.

(b) MISCELLANEOUS NO PARKING ZONES. No

owner or operator of any vehicle or device in, upon or by which any person or property is or may be transported or drawn upon any public highway shall park, stop or leave standing any such vehicle or device at the curb, shoulder or edge of the following streets located in the Town:

1. **Bahcall Ct.** cul-de-sac and the East Side of the street.
2. **Barker Rd.** (CTH "Y").
3. **Bluemound Rd.** (U.S. 18).
4. **Brookfield Rd.**
5. **Davidson Rd.**
6. **Greenfield Ave.** (STH. 59)
7. **Janacek Rd.** cul-de-sac.
8. **Longview Dr.** cul-de-sacs located on the east end.
9. **Martha Ct.** cul-de-sac.
10. **River Rd. from City of Brookfield limits to Barker Rd. CTH "Y").**
11. **Sommer Dr.** northside of road only.
12. **Springdale Rd.**
13. **Watertown Rd.**

(c) OBSTRUCTION OF FIRE HYDRANTS. No person shall permit an obstruction of any kind, temporary or permanent, within a distance of 10' either side of the centerline of any fire hydrant or at any point between

those distances and the centerline of any public right-of-ways measured at right angles to the public right-of-way.

(3) MISCELLANEOUS PARKING RESTRICTIONS.

(a) STREET MAINTENANCE. Whenever it is necessary to clear or repair a Town roadway or any part thereof, the Town Highway Department shall post such highways or parts thereof with signs bearing the words "No Parking -Street Maintenance Work". Such signs shall be erected at least two (2) hours before street maintenance is to be commenced. No person shall park a motor vehicle in violation of such signs.

(b) PARKING IN DRIVEWAYS. No person shall park or leave standing any motor vehicle in any private driveway without the permission of the owner or lessee of the property on which such driveway is located, whether or not such driveway is posted to limit or restrict parking.

(c) PARKING HEAVY VEHICLES IN RESIDENTIAL DISTRICTS. No operator of a motor truck, truck tractor, trailer, semi-trailer or any other vehicle or combination of vehicles other than motor buses weighing more than 6,000 lbs. shall park such vehicle on any highway other than a routed State highway in any residential district except for such time as is reasonably necessary to facilitate the loading or unloading.

(d) SNOW SEASON PARKING RESTRICTIONS. No person shall park, stop, or leave standing any vehicle upon any street or highway in the Town from November 1 through April 30.

(e) OVERNIGHT PARKING RESTRICTIONS. Unless authorized otherwise in this chapter, no person shall park or leave standing any vehicle upon any street or highway in the Town from 2:00 a.m. to 6:00 a.m.

(f) POLICE ORDER. Whenever it is necessary to prohibit parking on a Town road or any part thereof, the Police Department shall post such signs bearing the words "No Parking - Police Orders". Such signs shall be erected at least 2 hours in advance unless exigent circumstances warrant otherwise. No person shall park or leave standing a motor vehicle in violation of such signs.

(g) PARKING RESERVED FOR VEHICLES OF DISABLED. When official traffic signs indicating such restriction have been erected in accordance with §7.02 of this chapter, no person shall park, stop or leave standing any vehicle upon any portion of any street, highway or public or private parking facility reserved for vehicles displaying special registration plates, identification cards or emblems issued by the Wisconsin Department of Transportation, or any

comparable agency of another jurisdiction, designating the vehicle as one used by a physically disabled person.

(h) UNLAWFUL REMOVAL OF PARKING CITATIONS. No person, other than the owner or operator thereof, shall remove any parking citation from a motor vehicle.

(4) PARKING ON IMPROVED SURFACES REQUIRED.

(a) PURPOSE. The purpose of this provision is to require that motor vehicles be parked on improved surfaces or driveways so as to preserve the quality and integrity of residential neighborhoods in the Town.

(b) DEFINITIONS.

1. As used herein, the term "*driveway*" shall mean the surface maintained for motor vehicle access and parking, including those driveways having access from street entrances to a garage or parking area, and those driveways used specifically for circular turnaround or circular through traffic normally located in the front yard of a residence.

2. The term "*improved surface*" shall mean a surface of bituminous paving over a base course, Portland cement concrete, brick or block design laid over a sand base, an oil base course of crushed rock, which provides a stable, hard driving surface, which resists rutting, is impervious to erosion and which eliminates the accumulation of dust, dirt and mud. Such improved surfaces may be constructed in the side and rear yard area of properties subject to this subsection, provided that construction of these surfaces comply with the property setback and offset requirements of the Zoning Code.

3. As used herein, the term "*motor vehicle*" shall mean any vehicle which is self-propelled.

(c) PARKING OF VEHICLES ON PRIVATE PROPERTY RESTRICTED.

1. No motor vehicle shall be parked on any lawn area of any property that is used or zoned for residential purposes, except on a driveway or parking area that has an improved surface.

2. No boat, boat trailer, truck, accessory, such as snowplows or truck caps, nor any camper, snowmobile or other recreational device shall be parked on any lawn area which is used or zoned for residential purposes, except on a driveway or parking area which has an improved surface.

3. In the case of properties on a corner lot, which properties are used or zoned for residential purposes, the lawns on both the front and side streets shall be considered front lawns. The 50-foot setback requirement of the Zoning Code shall apply, in these

instances, to the lawns located adjacent to both the front and side street.

(d) PARKING OR STORING OF COMMERCIAL VEHICLES RESTRICTED. No truck, vehicle or other equipment used in any business, commerce or industry shall be parked anywhere on any property used or zoned for residential purposes. This prohibition shall not apply to panel or pick-up trucks having a gross weight of 4,000 pounds or less.

(e) MODIFICATION OF PARKING SURFACES. No addition to or modifications of any existing improved parking surface shall be undertaken without first obtaining a building permit from the Building Inspector.

(f) EXEMPTION. The Town Board may, upon application of any property owner, grant an exemption to this provision. Before granting such an exemption, the Town Board shall take into consideration the nature of the requested exemption, whether the granting of the exemption would result in an adverse effect upon neighboring properties and special circumstances which warrant the granting of an exemption. Any exemption granted by the Town Board may be rescinded by subsequent Board action and the granting of such an exemption shall, under no circumstances, entitle the property owner to any vested right to continue the exemption subsequent to any action undertaken by the Town Board to rescind an exemption.

(5) REMOVAL OF ILLEGALLY PARKED VEHICLES.

(a) HAZARD TO PUBLIC SAFETY. Any vehicle parked, stopped or standing upon a highway in violation of any of the provisions of this section or any other provisions of this chapter is declared to be a hazard to traffic and public safety.

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

(c) REMOVAL BY TRAFFIC OFFICER. Any traffic officer, after issuing a citation for either illegal parking, stopping or standing of any unattended vehicle in violation of this chapter or if the vehicle is deemed to be a hazard, is authorized to remove such vehicle to a position where parking is permitted.

(d) REMOVAL BY PRIVATE SERVICE. The officer may order a motor carrier holding a permit to perform vehicle towing service, a licensed motor vehicle salvage dealer or a licensed motor vehicle dealer who performs vehicle towing services to remove and store such vehicle in any public storage garage or rental parking

grounds or any facility of the person providing the towing service.

(e) TOWING AND STORAGE CHARGES. In addition to other penalties provided by this chapter, the owner or operator of a vehicle so removed shall pay reasonable costs of removing, towing and storage. If the vehicle is moved or towed by the Police Department or the Town Highway Department, a charge of \$50 plus \$0.15 per mile shall be paid for moving or towing. If the vehicle is towed or stored by a private motor carrier, motor vehicle salvage dealer or licensed motor vehicle dealer, actual charges regularly paid for such service shall be paid. If the vehicle is stored in a public storage garage or rental facility, customary charges for such storage shall be paid. Upon payment, a receipt shall be issued to the owner of the vehicle for the towing or storage charges.

(f) REFUND OF TOWING OR STORAGE CHARGES. Any person charged with a parking violation whose vehicle has been towed or stored in connection with such charge who was subsequently found not guilty of such violation shall be allowed a refund of any towing and storage charges paid upon filing with the Town Clerk a certified copy of the judgment and a receipt showing payment of such charges.

7.07 REGISTRATION RECORD OF VEHICLE AS EVIDENCE.

When any vehicle is found upon a street or highway in the Town in violation of any provision of this chapter regulating the stopping, standing or parking of vehicles, and the identity of the operator cannot be determined. The owner as shown by the ownership registration of the vehicle supplied by the Wisconsin Department of Transportation, or a comparable authority of any other state, shall be deemed to have committed the violation for purposes of enforcement of this section. Any other portion of this chapter and shall be subject to the applicable forfeiture penalties; provided the defenses defined and prescribed in §346.485(5)(b), Wis. Stats., shall be a defense for an owner charged with such violation.

7.08 ABANDONED AND JUNKED VEHICLES.

(1) DEFINITIONS. (a) "**Vehicle**" means and includes any motor vehicle, trailer, semi-trailer, or mobile home as defined in §340.01 Wisconsin Statutes. Additionally, "Vehicle" means any automobile, automobile part, all-terrain vehicle, snowmobile, motor home, bus, motorcycle, van, or other device designed for travel by motor.

(b) "**Abandoned Vehicle**" means and includes any vehicle that has been allowed to remain on any alley, street, highway, public place or private property in the Town without the owner's permission for more than 48 hours, except that the time limit shall be ten days

relative to vehicles left on private property that is open to the public.

(c) **"Junked Vehicle"** means and includes any motor vehicles, truck bodies, tractors or trailers in such state of physical or mechanical condition as to be incapable of propulsion or of being operated upon the public streets or highways including, but not limited to, wrecked, disassembled, inoperable, or disabled vehicles. Junked vehicle shall also include, by rebuttable presumption, a vehicle whose registration is expired and has been so expired for a period of more than sixty (60) days. As used in this section, **"vehicle"** means a motor vehicle, trailer, semi-trailer or mobile home, as defined in §7.01 of this chapter, whether or not the vehicle is registered under Ch. 341, Wis. Stats.

(2) ACCUMULATION OR STORAGE - PERMIT REQUIRED. No person shall accumulate or store any junked or abandoned vehicles or parts thereof outside any building or on any real estate without a permit issued by the Town pursuant to Wisconsin Statute §175.25. This section shall not apply to vehicles kept in an appropriate storage place or depository maintained in a lawful place and manner for or by the Town. In no event may any accumulation or storage be allowed within seven hundred fifty (750) feet of the centerline of a State trunk or Federal Highway or within 500 feet of the center line of any Town road, except upon a permit issued by permission of the Town Board.

(3) PRESUMPTION OF ABANDONMENT/UNATTENDED VEHICLES. Any vehicle left unattended for more than 48 hours on any public street or ground or on private property where parking is prohibited, limited or restricted, without the permission of the owner or lessee, is deemed abandoned.

(4) NUISANCE DECLARED. Any vehicle, which is abandoned or junked as defined by this chapter, is declared a public nuisance and may be abated as hereinafter provided.

(5) NOTIFICATION TO REMOVE. No person owning, having custody of, or on whose property is located any junked vehicle, shall allow such junked vehicle to remain on the premises longer than ten days after notification by the police department.

(6) EXCEPTIONS. This section shall not apply to a vehicle in an enclosed building nor to a business premises operated in a lawful place and manner when necessary to the operation of such business and the keeping of such vehicles in an orderly and safe manner as approved by the plan commission, nor to a premises holding a permit under Sub-section (2).

(7) REMOVAL BY TOWN. (a) POLICE CHIEF AUTHORIZED TO REMOVE VEHICLE. Subject to

Wisconsin Statute § 349.13 (3m), the Chief of Police or his/her designee is authorized to remove or have removed any vehicle left on any public or private property within the Town, without the permission of the owner, which reasonably appears to be in violation of this chapter, or to be lost, stolen, unclaimed, or which presents an immediate hazard or obstruction. Such vehicle shall be impounded until lawfully claimed or disposed of in accordance with §342.40, Wisconsin Statutes. The Chief of Police is authorized to establish, upon recommendation of the Town Administrator and approval of the Town Board, reasonable storage charges for vehicles, which are impounded.

(b) LEGAL ACTION AUTHORIZED. The Chief of Police or any member of his department designated by him is authorized to initiate legal or equitable action to cause the removal of any vehicle left on private property.

(8) DISPOSAL OF IMPOUNDED VEHICLES. (a) Any vehicle impounded under this chapter shall be disposed of by sealed bid or auction sale as deemed appropriate in the given instance by the Chief of Police or his/her designee, which individual shall act as the duly authorized representative of the Town for statutory purposes. Such sale shall conform to the provisions of §342.40, Wisconsin Statutes.

(b) If it is determined by the Chief of Police or his designee that the cost and towing charges for the impoundment would exceed the value of the vehicle, the vehicle may be junked or sold to a licensed dealer prior to the expiration of the impoundment period, upon determination that the vehicle is not stolen or otherwise wanted for evidence or other reason.

(c) NOTICE TO OWNER, LIEN HOLDER. Any vehicle that is impounded and not disposed of under subsection (b) of this section shall be retained in storage for a minimum period of twenty (20) days after certified notice has been sent to the owner and lien holders of record. Payment of accrued charges shall be paid by the aforementioned. Such charges shall include, but is not be limited, to towing, storage and notice charges. Such notice shall set forth the year, make, model and serial number of the vehicle, if possible; the place where the vehicle is being held; and shall inform the owner and lien holder of their right to reclaim their vehicle under this chapter shall be deemed a waiver of all right, title and interest in the vehicle and a consent to the sale of the vehicle. Each vehicle not reclaimed by the owner or lien holder may be sold.

(d) OWNER RESPONSIBLE FOR DISPOSAL COSTS. The owner of a junked or abandoned vehicle, except a stolen vehicle, is responsible for the junking or

abandonment and all costs of impounding and disposing of the vehicle. Costs not recovered from the sale of the vehicle may be recovered in a civil action by the municipality against the owner. Such costs shall be in addition to the forfeiture provided for violation of this chapter.

(e) Within five days after the sale or disposal of a vehicle, the Town shall advise the Wisconsin Department of Transportation, Division of Motor Vehicles, of such sale or disposition of a form supplied by the Division. A copy of such form shall also be given to the purchaser of the vehicle.

(9) **MAXIMUM IMPOUNDMENT PERIOD.** The minimum period of impoundment or storage of a vehicle found in violation of this section shall be ten (10) days.

(10) **IMPOUND NOTICE TO OWNER.** The police officer removing or causing the removal of any vehicle found in violation of this section shall notify the Chief of Police of the abandonment and location of the impounded vehicle and shall, within 5 days thereafter, notify the owner or lienholders of record by certified mail of the impoundment and of their right to reclaim the vehicle. The notice shall state the information contained in §342.40(3), Wis. Stats., and shall state that the failure of the owner or lienholder to exercise the right to reclaim the vehicle shall be deemed a waiver of all right, title and interest in the vehicle and consent to its sale.

(11) **PURCHASER TO REMOVE VEHICLE.** The purchaser of any vehicle under sub. (7) shall have 10 days to remove the vehicle from storage. The purchaser of such a vehicle shall pay all charges for storage of the vehicle to the date of sale, together with any other charges provided in this section, before removing the vehicle.

(12) **REQUEST FOR LIST.** Any listing of vehicles to be sold under this section shall be made available by the Town Clerk; to any interested person or organization making a written request upon payment of \$5.

7.09 MUNICIPAL COURT JURISDICTION OVER MINORS. Except as specifically provided in this Chapter, the statutory provisions in Chs. 938, Stats., are hereby adopted, and by reference made a part of this chapter, as if fully set forth herein. Any future amendments, revisions, or modifications of the statutory regulations in Chs. 938, Stats. incorporated herein are intended to be made part of this chapter. (Cr. 05/21/1996)

7.10 BICYCLES. (Cr. 02/04/1997) (1) **DEFINITIONS PERTAINING TO BICYCLES.** (a) **"Bicycle"** means every device propelled by the feet acting upon pedals and having wheels any two (2) of which are not less than fourteen inches in diameter.

(b) **"Bicycle Lane"** means that portion of a roadway set aside by the governing body of the Town or County for the exclusive use of bicycles or other modes of travel where permitted under Wisconsin Statutes Section 349.23(2) (a) and so designated by appropriate signs and markings.

(c) **"Bicycle Route"** means any bicycle lane, bicycle way by highway which has been duly designated by the governing body of the Town or County and which is identified by appropriate signs and markings.

(d) **"Bicycle Way"** means any path, sidewalk, or portion thereof designated for the use of bicycles by the governing body of the Town or County.

(2) **RIDING REGULATIONS.** (a) **CARE AND CONTROL OF BICYCLE.** It is unlawful for any person to ride or propel a bicycle upon any street, bicycle lane, route or way, in the Town of Brookfield, except in a careful and prudent manner and with a firm grip on the handlebars at all times to insure proper control.

(b) **MULTIPLE RIDERS RESTRICTED.** It is unlawful for any person who propels or operates a bicycle upon any street, bicycle lane, route or way in the Town of Brookfield to carry or permit to be carried any other person upon such bicycle, except a bicycle built for the operation of two (2) or more passengers and having sets of pedals or as outlined in §7.10 (2) (c) of this chapter.

(c) **USE OF CHILD'S SEAT OR CHILD CARRYING TRAILER REQUIRED.** It is unlawful to operate a bicycle equipped with a child's seat and occupied with a child unless the following regulations are observed;

1. The operator shall be at seventeen years of age.
2. The passenger shall be under the age of seven years and seated on the child's seat.
3. The child's seat shall be fastened securely to the bicycle and shall be located behind the operator's seat.
4. The child's seat shall be so designed and manufactured for this specific purpose and be equipped with a safety belt, arm rests, back rest, foot and spoke protector.

(d) **ATTACHING TO VEHICLE PROHIBITED.** No person riding a bicycle shall attach himself or his bicycle to any vehicle upon a highway, public property, or property held open to the public.

(e) **RIDING TWO ABREAST.** Persons riding bicycles upon a roadway shall ride single file on all roadways that have centerlines or lane lines indicated by painting or other markings. On roadways not divided by painted or other marked centerlines or lane lines, bicycle operators may ride two abreast.

(f) OBSERVANCE OF TRAFFIC LAWS AND RULES REQUIRED. Any person riding or operating a bicycle upon any street within the limits of the Town of Brookfield shall observe all traffic rules and regulations, including §346.77 thru §346.82 Wis. Stats.

(3) EQUIPMENT REGULATIONS. (a) REQUIRED LIGHTS AND BRAKING DEVICES. It is lawful to operate a bicycle upon any roadway; bicycle lane, route, or way within the Town subject to the following equipment regulations;

1. No person may operate a bicycle during hours of darkness unless such bicycle is equipped with or the operator is wearing a lamp emitting a white light visible from a distance of at least five hundred feet to the front of such bicycle.

2. Such bicycle shall also be equipped with a red reflector that has a diameter of at least two inches of surface area on the rear so mounted and maintained as to be visible from at least five hundred feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet to the rear may be used in addition to but not in lieu of the red reflector.

3. No person may operate a bicycle upon any roadway, bicycle lane, route or way unless it is equipped with a brake in good working condition, adequate to control the movement of and to stop the bicycle whenever necessary.

(b) REQUIRED SEATING. It is unlawful for any person to operate a bicycle upon any roadway, bicycle lane, route, or way, unless such bicycle has a proper seat attached thereto upon which the operator may sit or astride.

(4) REGISTRATION. (a) REGISTRATION REQUIRED. It is unlawful for anyone to ride a bicycle in the Town of Brookfield unless it is legally registered in the Town of Brookfield or in some other community or unless it is owned in a community not having a provision for registration.

(b) PROCEDURE/IDENTIFICATION TAG. The owner of a bicycle shall register with the police department his or her name and address and a complete description of the bicycle on forms issued by the department. The registration forms shall be numbered and kept by the department as a public record. Upon each registration there shall be issued a license tag that shall entitle the licensee and persons authorized by the licensee to operate the bicycle in the Town. Each license tag shall show a non-expiring period for its validity.

(c) REGISTRATION FEE. There shall be no registering fee for any bicycle in the Town of Brookfield.

(d) LICENSE TAG TO REMAIN PERMANENTLY ON BICYCLE. The license tag shall be affixed securely to the bicycle, permanently. The tag shall be placed to be reasonably visible by a law enforcement officer. Town of Brookfield License Tags may be removed by the bicycle owner, if the owner moves out of the Town, or of the bicycle is sold or transferred to another purchaser, or if the bicycle is damaged or no longer usable. Licensed bicycle owners are required to notify the police department if they no longer live in the Town of Brookfield or have sold or junked their bicycle.

(e) DENIAL OF REGISTRATION DUE TO CONDITION OF BICYCLE. No bicycle shall be registered unless it is in a safe mechanical condition. The police department may inspect bicycles and deny registration if they are found mechanically unsafe.

(f) LICENSE TAG MUTILATION UNLAWFUL. No person shall willfully or maliciously remove, destroy or mutilate any license tag unless directed to do so by a law enforcement officer.

(g) TRANSFER OF REGISTRATION PROHIBITED. The transfer of registration or license tag is strictly prohibited.

(5) PENALTIES. Except as otherwise provided, any person who shall violate any of the provision of this ordinance shall, upon conviction of such violation, be subject to the penalties as set forth in Chapter 25.04 of the Town of Brookfield Code of Ordinances.

7.15 PENALTIES. (1) GENERAL. The penalty for violation for any provision of this chapter shall be a forfeiture as hereafter provided, together with court costs and fees prescribed by §814.63 (1) and (2) or §814.65 (1), Wis. Stats., the penalty assessment for moving traffic violations and the driver improvement surcharge imposed by §165.87 and §346.655, Wis. Stats. where applicable. Payment of the judgment and applicable court costs, fees, assessments and surcharges may be suspended by the sentencing court for not more than 60 days. Any person 18 years of age or older who fails to pay the amount of the forfeiture, court costs, any penalty assessment or driver surcharge or other penalty imposed for violation of any provision of this chapter may, upon order of the court entering judgment and having jurisdiction of the case, be imprisoned until such forfeiture, costs and assessments are paid, but not exceeding 90 days.

(2) OTHER SANCTIONS. Nothing herein shall preclude or affect the power of the sentencing court to exercise additional authorities granted by the Wisconsin Statutes to suspend or revoke the operating privileges of the defendant or to order the defendant to submit to assessment and rehabilitation programs or attend traffic

safety school in addition to payment of the monetary penalty or in lieu of imprisonment.

(3) FORFEITURES FOR VIOLATIONS OF MOVING TRAFFIC REGULATIONS. Forfeitures for violation of any moving traffic regulation set forth in the statutes adopted by reference in §7.01 shall conform to the forfeiture penalty permitted to be imposed for violation of the comparable statute, including any variations or increases for subsequent offenses. This subsection shall not be construed to permit prosecution under this chapter for any offense described in Chs. 341 to 348, Wis. Stats., for which an imprisonment penalty or fine may be imposed upon the defendant.

(4) FORFEITURES FOR NONMOVING TRAFFIC AND PARKING VIOLATIONS.

(a) UNIFORM STATEWIDE PARKING, STOPPING, AND STANDING OFFENSES. Minimum and maximum forfeitures for violation of nonmoving traffic violations adopted by reference in §7.01 of this chapter, as described in Chs. 341 to 348, Wis. Stats. shall be as provided for the comparable State nonmoving traffic violation.

(b) PARKING VIOLATIONS. The penalty for all parking violations as provided in this chapter shall be a forfeiture of not less \$10 nor more than \$300.

(5) TERMS. Upon stipulation of the parties and subject to the approval of the court, upon a finding that such stipulation is in the public interest and serves the interests of justice, the court may impose terms not to exceed \$100 against a defendant upon dismissal of an action and such money shall be deposited in the Town's general fund.

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

(1) APPLICABLE COURT PROCEDURES. The traffic regulations in this chapter shall be enforced in the Municipal Court of the Town in accordance with the provisions of Chs. 345 and 800, Wis. Stats.

(2) CITATIONS. **(a) UNIFORM CITATION AND COMPLAINT.** The Wisconsin Uniform Traffic Citation and Complaint described and defined in the Wisconsin Statutes shall be used for enforcement of all provisions of this chapter, except those provisions that describe or define nonmoving traffic violations and violations of §346.67, Wis. Stats. Violations of §346.67, Wis. Stats., shall be reported to the District Attorney and the Wisconsin Traffic Citation shall not be used in such cases except upon written request of the District Attorney.

(b) PARKING CITATIONS. The Chief of Police shall recommend a citation for use in enforcing nonmoving traffic offenses in this chapter. When approved by the

Town Board, such citation shall be used for enforcement of nonmoving traffic regulations created or adopted by this chapter, including violations of nonmoving traffic regulations defined and described in the statutes adopted by reference in §7.01 and all provisions of §§7.06 and 7.08 of this chapter. The citation for nonmoving traffic violations shall contain a notice that the person cited may discharge the forfeiture for violation of a nonmoving traffic regulation and penalty thereof by complying with sub. (3) (b) of this section. Nonmoving citations shall be issued by the Police Department.

(3) DEPOSITS AND STIPULATIONS. **(a) MOVING TRAFFIC OFFENSES.**

1. Schedule of Deposits. The schedule of cash deposits shall be as required in subpar .5 of this subsection. In addition, in the cash deposit will be a current penalty assessment fee, jail assessment, and court costs, if applicable. If a deposit schedule has not been established for a specific violation, the arresting officer shall require the alleged defender to deposit not less than the maximum forfeiture permitted under this chapter.

2. Depository. Deposits shall be made in cash, money order, or certified check to the Clerk of Municipal Court for the Town of Brookfield who shall issue a receipt therefor as required by Wisconsin Statutes. If the deposit is mailed, the signed statement required by Wisconsin Statutes shall be mailed with the deposit.

3. Who May Make. Persons arrested or cited for violation of moving traffic offenses created by this chapter shall be permitted to make deposits and stipulations of no contest or be released by the arresting officer in accordance with the applicable provisions of the Wisconsin Statutes.

4. Deliver or Mailing of Deposit and Stipulation. The deposit and stipulation shall be delivered personally by the person cited or mailed to the Clerk of Courts.

5. Receipt Required. The official or person receiving the deposit shall furnish and deliver or mail an original receipt for such deposit to the alleged violator and shall deliver the deposit and stipulation and a copy of the receipt within 5 days to the Clerk of Courts. The amount of such deposit shall be the amount provided in the Uniform Deposit and Misdemeanor Bail Schedule for the Wisconsin Judicial Conference including any variations or increases for subsequent offenses, which schedule is in effect in the Municipal Court of the Town of Brookfield.

(b) NONMOVING TRAFFIC OFFENSES.

1. Direct Payment of Penalty Permitted. Persons cited for violation of nonmoving traffic offenses described and defined in this chapter may discharge the penalty and avoid further proceedings by forwarding within 7 days of the issuance of the citation to the Chief of Police the minimum penalty specified for the violation. If not so forwarded, the penalty shall double.

2. Suspension of Vehicle Registration. If the alleged violator does not deliver or mail a deposit as provided in this section within 14 days of the date of the citation, the Chief of Police or designate shall forward a copy of the citation to the Wis. D.O.T. requesting the suspension of the vehicle registration until such penalty has been paid.

3. Deposits Returned to Town Clerk. Officers receiving deposits for nonmoving traffic violations under this subsection shall pay over such deposits to the Town Clerk within 30 days after receipt. Such payment shall be accompanied by an itemized statement for each deposit of the offense charged and the name of the depositor.