

Article C: Parking Regulations

Sec. 10-1-20 Restrictions on Parking; Posting Limitations.

- (a) **Forty-eight (48) Hour Limitation.** No person, firm or corporation shall park or leave standing any automobile, truck, tractor, trailer or vehicle of any description on any public streets or public parking lots in the Village of Elk Mound for a period of forty-eight (48) or more consecutive hours in the same location at any time, except that where more restrictive parking limits have been established, the more restrictive limits shall apply. When any law enforcement officer or other duly authorized Village official shall find a vehicle standing upon a public street or parking lot in violation of the provisions of this Section, he/she is authorized to move such a vehicle or to require the operator in charge thereof to move such vehicle to a position permitted under this Chapter. The law enforcement officer or other duly authorized Village official may cause said vehicle to be removed to a proper impoundment and storage area where storage space is available and in such case the owner shall pay the costs of removing said vehicle and the storage fees on said vehicle before he/she may recover the possession thereof.
- (b) **Off-Street Public Parking Areas.** It shall be unlawful to park or leave for storage any equipment or vehicle in any off-street area designated for public parking purposes, in excess of forty-eight (48) hours without written permission for special, unique cause from the Police Department.
- (c) **Posted Limitations.**
 - (1) The Village Board may designate certain streets or portions of streets as no parking or no stopping or standing zones or as zones for parking by physically handicapped persons and may limit the hours in which the restrictions apply. The Village shall mark, by appropriate signs, each zone so designated in accordance with the provisions of Sec. 349.13, Wis. Stats.
 - (2) Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, no person shall stop or park a vehicle in an established no stopping or standing zone when stopping or standing is prohibited. No vehicle shall be parked in a no parking zone during hours when parking is prohibited except physicians on emergency calls or as permitted by state law or elsewhere by this Code of Ordinances.
 - (3) The Chief of Police is hereby granted the authority, within the reasonable exercise of police power to prohibit, limit the time or otherwise restrict the stopping, standing or parking of vehicles beyond the provisions of Ch. 346, Wis. Stats.. The Village Board shall have the authority to restrict the turning or movement of heavy traffic and to impose special weight limitations on any highway or portions thereof which, because of the weakness of the roadbed due to deterioration or climatic conditions or other special or temporary conditions, would likely be seriously damaged or destroyed in

the absence of any restrictions on heavy traffic movement or special weight limitations.

- (4) No prohibition, restriction or limitation on parking or restriction on movement or turning of heavy traffic and imposition of special weight limits is effective unless official traffic control devices have been placed or erected indicating the particular prohibition, restriction or limitation.
- (5) After the parking limitations on any given street have expired, any change of location of not more than one (1) stall following expiration of the parking period allowed shall be and constitute a violation of this Chapter.

Sec. 10-1-21 Parking Restrictions During Temporary Snow Removal or Street Maintenance.

- (a) **Street Maintenance.** Whenever it is necessary to clear or repair a Village roadway or any part thereof, the Public Works 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 prior to the time that street maintenance work is to be commenced. No person shall park a motor vehicle in violation of such signs.
- (b) **Temporary Parking Restrictions for Special Events.** For the period of time during which a community event is being held and upon proper resolution of the Village Board, all or any portion of a street, adjacent to the area at which the community event is being held, may be designated as a temporary no-parking zone. All such temporary no-parking zones shall be properly designated by an official no-parking sign placed or erected pursuant to the authority and direction of the Village Board. The operator of any motor vehicle shall not park or allow such vehicle to stand in such temporary no-parking zone.
- (c) **Parking During Special Snow Removal.** No person shall park, place or leave standing any automobile, truck or other vehicle on any street or public way after one (1) hour from the time such area has been designated and marked with signs or barriers by the Public Works Department of the Village indicating no parking due to special snow removal work.

Sec. 10-1-22 Stopping or Parking Prohibited in Certain Specified Places.

- (a) **Definitions.** The following definitions shall be applicable with all Village parking regulations:
 - (1) **Alley.** Any thoroughfare within the corporate limits of the Village designed primarily to provide access to the side or rear of property that fronts on another street.
 - (2) **Dedicated Parking.** Spaces or areas designated or marked for the purpose of parking.

- (3) **Parking.** The halting of a vehicle on a street, excluding stops to accommodate traffic and pedestrians, and stops to actively load or unload property or passengers.
 - (4) **Perpendicular Parking.** Parking on the roadway with the linear axis of the vehicle at right angles to the linear axis of the street or alley.
 - (5) **Right-of-way.** The open and unimpeded flow of traffic on any thoroughfare.
 - (6) **Highway.** Any public roadway or street used for vehicular traffic.
 - (7) **Vehicle.** Every device in, on, or by which any person or property is or may be transported or drawn upon a highway, with the exception of railroad trains.
- (b) **Parking Prohibited at All Times.** Except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers or property and while the vehicle is attended by a licensed operator so that it may be moved promptly in case of an emergency or to avoid obstruction of traffic, no person shall at any time park or leave standing any vehicle:
- (1) Within an intersection.
 - (2) On a crosswalk.
 - (3) On a sidewalk or terrace area, except when parking in such place is clearly indicated by official traffic signs or markers or parking meters. "Terrace or Sidewalk Area" means that area between the sidewalk and the nearest curb line running parallel or generally parallel thereto or in the absence of a sidewalk ten (10) feet beyond the curb line.
 - (4) Alongside or opposite any highway excavation or obstruction when such stopping or standing would obstruct traffic or when pedestrian traffic would be required to travel in the roadway.
 - (5) On the roadway side of any parked vehicle unless double parking is clearly indicated by official traffic signs or markers.
 - (6) Within a fire lane consisting of either the driveway between the front doors of a Fire Station and the public street or in such places properly designated and marked as fire lanes ordered by the Fire Chief.
 - (7) Upon any portion of a highway where and at the time when stopping or standing is prohibited by official traffic signs indicating the prohibition of any stopping or standing.
 - (8) In any place or manner so as to obstruct, block or impede traffic.
 - (9) Within ten (10) feet of a fire hydrant, unless a greater distance is indicated by an official traffic sign.
 - (10) Upon any portion of a highway where and at the time when parking is prohibited, limited or restricted by official traffic signs.
 - (11) Upon any bridge.
 - (12) Upon any street or highway within the Village limits any vehicle which faces a direction different from the direction of normal traffic flow for the lane of traffic in which said vehicle is stopped or standing.

- (13) Upon any terrace or sidewalk in the Village at any time.
- (14) In a loading zoning.
- (15) Within six (6) feet of the entrance to an alley, private road or driveway.
- (16) In any municipal park when said park is closed to the public.
- (c) **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 which such driveway is located, whether or not such driveway is posted to limit or restrict parking.
- (d) **Vehicles Not to Block Private Drive, Alley or Fire Lane.** No vehicle shall, at any time, be parked so as to unreasonably restrict the normal access to any private drive, alley or fire lane. Said access shall be deemed to be unreasonably restricted if any vehicle is parked within four (4) feet of either side of said access. Upon discovery by a law enforcement officer or upon complaint by the owner of any such blocked drive, alley or fire lane, a law enforcement officer or other duly authorized Village official may order said vehicle towed from such position at the risk and expense of the owner of said vehicle.
- (e) **Parking Vehicle for Repair or to Display for Sale Prohibited.**
 - (1) No person shall stand or park a vehicle on any street, alley, public right-of-way or municipal parking lot in the Village of Elk Mound for the purpose of repairing said vehicle or to display such vehicle for sale. No person shall park on any street or avenue any vehicles for the primary purpose of advertising.
 - (2) No person other than an owner and/or operator of a business located on business-zoned property engaged in the regular business of selling vehicles may display a vehicle for sale upon private premises unless the following conditions are met:
 - a. Consent to display the vehicle has been given by the owner or lessee of the premises; and
 - b. The owner of the vehicle is on the premises or resides there; and
 - c. The vehicle displayed for sale is parked entirely on the premises; and
 - d. The premises contains only one (1) vehicle displayed for sale; and
 - e. The advertisement or sign for sale of the vehicle is not larger than two (2) square feet.
- (f) **Vending From Parked Vehicles Restricted.** There shall be no parking on any street or portion thereof by any vehicle from which the operator or owner is engaged in vending goods, wares or merchandise, unless licensed to do so by the Village.

Cross-Reference: Title 10, Chapter 5

Sec. 10-1-23 Parking Reserved for Vehicles of Disabled.

- (a) Established is one (1) handicap parking stall to conform with State Statute, located in front of 207 University Street, Village of Elk Mound.

- (b) Except for a motor vehicle used by a physically disabled person as defined under Sec. 346.503(1), Wis. Stats., no person may park, stop or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, upon any portion of a street, highway or parking facility reserved, by official traffic signs indicating the restriction, for vehicles displaying special registration plates issued under Sec. 341.14(1), (1a), (1m) or (1q), Wis Stats., or a special identification card issued under Sec. 343.51, Wis Stats., or vehicles registered in another jurisdiction and displaying a registration plate card or emblem issued by the other jurisdiction which designates the vehicle as a vehicle used by a physically disabled person.
- (c) The penalty for violation under this Section shall be that which is imposed in the Uniform State Traffic Deposit Schedule for violation of Sec. 346.505, Wis. Stats.

Sec. 10-1-24 Leaving Keys in Vehicle Prohibited; Parking Vehicles with Motor Running.

- (a) **Leaving Keys in Vehicle.** No person shall permit any motor vehicle to stand or remain unattended on any street, alley or other public area, except an attended parking area, unless either the starting lever, throttle, steering apparatus, gear shift or ignition of the vehicle is locked and the key for such lock is removed from the vehicle. Whenever any law enforcement officer or duly authorized Village official shall find any vehicle standing with the key in the ignition in violation of this Section, such officer is authorized to remove such key from the vehicle and deliver the key to the Police Department office or other appropriate law enforcement agency for safe custody.
- (b) **Parking Vehicles With Motor Running.** No person shall park or leave standing any motor vehicle with the motor or refrigerator unit running for more than thirty (30) minutes within three hundred (300) feet of any residence within the Village of Elk Mound between the hours of 10:00 p.m. and 6:00 a.m.

Sec. 10-1-25 Unattended Motorized Machinery.

It shall be unlawful for any person, firm or corporation to permit any construction, compaction, earth-grading or farm machinery which is self-propelled and moves upon the surface of the earth and which is owned or controlled by him/her to stand for any period of time unattended without locking the ignition system or otherwise rendering said machinery inoperable so as to prevent any person unauthorized by the owner or individual in control thereof from starting said machinery.

Sec. 10-1-26 Angle Parking.

- (a) The Village Board shall from time to time have certain streets or portions of streets marked with white lines to designate parallel or diagonal parking places. Angle parking or parking diagonally is prohibited on all the streets, alleys and highways of the Village except as

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provided herein in designated angle parking stalls. All vehicles shall park parallel to, and within one (1) foot of, the curb except where streets and parking lots are so marked for angle parking.

- (b) No person shall at any time park any vehicle:
 - (1) In any direction other than the designated parking angle, where angle parking spaces are so designated and provided by appropriate markings.
 - (2) Backwards into angle parking spaces so designated and provided by appropriate markings, unless actually engaged in unloading activity.
 - (3) With a trailer attached or any vehicle longer than twenty (20) feet on any street where angle parking is so provided and allowed.

Sec. 10-1-27 Parking of Vehicles Over 15,000 Pounds or 16 Feet Restricted.

- (a) **Parking.**
 - (1) No person owning or having control of any commercial motor vehicle, such as a road tractor, semitrailer, trailer or truck tractor, or a combination of vehicles weighing in excess of fifteen thousand (15,000) pounds gross weight, or over sixteen (16) feet in length (including accessories, racks, or other physical extensions), or having an enclosed area of a height of more than eight (8) feet from the roadway, shall park the same upon any street, avenue, or public way in the Village of Elk Mound for more than one (1) hour. The provisions of this Subsection shall not be deemed to prohibit the lawful temporary parking of such equipment upon any street, avenue, public way or private property in the Village for the actual loading or unloading of goods, ware or merchandise, providing, however, the "loading" and "unloading," as used in this Section, shall be limited to the actual time consumed in such operation.
 - (2) The Village Board may designate specific truck parking zones. The aforementioned types of commercial motor vehicles may be temporarily parked between 2:00 a.m. and 6:00 a.m. on any Village-owned or leased parking lot in the Village.
- (b) **Exceptions.** Any municipal vehicle or public works equipment is excepted from the provisions of Subsection (a) above.
- (c) **Bus Parking.** No operator of a school bus or other bus, regardless of its size, shall park such vehicle in any residential district — on the street, on a lawn, in the alley, in a driveway or anywhere else — except for such time as is reasonably necessary to facilitate the loading or unloading of the vehicle, except that school buses may park at any school when required.
- (d) **Removal.** Any vehicle unlawfully parked under Subsection (a) or (c) above may be removed from the street by order of a law enforcement officer, pursuant to Section 10-1-30, and the expense of so moving and storing such vehicle shall be paid by the operator or owner of said vehicle as a forfeiture in addition to the penalties hereafter prescribed.

- (e) **Penalty.** The penalty for violation of any provision of this Section shall be as provided in Section 10-1-50, together with the costs of prosecution and applicable penalty assessment.

Sec. 10-1-28 Parking Prohibited Regulations.

When signs or parking meters are erected in any block giving notice thereof, no person shall park or leave standing any vehicle for longer than the period specified upon any of the following highways, streets or parts thereof, except temporarily for the purpose of and while actually engaged in receiving or discharging passengers:

- (a) **Winter Parking Restricted.**
- (1) No person shall park a vehicle on streets or portions of streets within the Village of Elk Mound, between the hours of 3:00 a.m. and 6:00 a.m., from November 1 through April 1, the snow removal season, except as follows:
 - a. On odd-numbered calendar days, on that side of the street with odd-numbered house numerals; and
 - b. On even-numbered calendar days, on that side of the street with even-numbered house numerals.
 - (2) In addition to the penalties of Section 10-1-50, Village officials may remove any such vehicle parked in violation of this Section to a place of storage and may charge the cost of towing and storage to the owner of such vehicle.
- (b) **Parking in Alleys.** No person shall park any vehicle in any alley within the Village of Elk Mound at any time, except that delivery trucks may park in any alley, but only for the sole purpose of making a delivery and such delivery truck must be removed from the alley as soon as the delivery is complete.
- (c) **Boat and Utility Trailer Parking.** Boat and utility trailers that are unattached from any motor vehicle shall not remain parked upon any public street, public alley, or municipal parking lot, for more than seventy-two (72) consecutive hours, including holidays and weekends.

Sec. 10-1-29 Unlawful Removal of Parking Citations.

No person other than the owner or operator thereof shall remove a Village parking citation from a motor vehicle.

Sec. 10-1-30 Operation of Motor Vehicles in Public Parking Lots.

- (a) **Unlicensed Operators Prohibited.** No person who does not hold a valid operator's license shall operate a vehicle in any public parking lot or ramp or in any private parking lot or ramp held out for the use of parking for the general public.

- (b) **Traffic Regulations Applicable.** All provisions of Section 10-1-1 of this Chapter and of the Wisconsin Statutes and laws incorporated herein by reference shall be applicable on any public parking lot or ramp and on any private parking lot, road or ramp held out for use for the general public for parking or vehicular traffic.

Sec. 10-1-31 Removal of Illegally Parked Vehicles.

- (a) **Hazard to Public Safety.** Any vehicle parked, stopped or standing upon a highway or public parking lot or ramp in violation of any of the 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 law enforcement officer or duly authorized Village official, to a position where parking is permitted or to a private or public parking or storage premises.
- (c) **Removal by Traffic Officer.** Any law enforcement officer or duly authorized Village official after issuing a citation for illegal parking, stopping or standing of an unattended vehicle in violation of this Chapter, is authorized to remove such vehicle to a position where parking is permitted if it is deemed to be a hazard, at the owner's expense.
- (d) **Removal by Private Service.** The officer or duly authorized Village official may order a motor carrier holding a permit to perform vehicle towing services, 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 services.
- (e) **Towing and Storage Charges.** In addition to other penalties provided in this Chapter, the owner or operator of a vehicle so removed shall pay the actual cost of moving, towing and storage. 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 services 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 charge.

Sec. 10-1-32 Inoperable, Wrecked or Discarded Vehicles.

- (a) **Storage Prohibited.** No person owning or having custody of any partially dismantled, nonoperable, wrecked, junked or discarded motor vehicle shall allow such vehicle to remain on any public street or highway, parking lot or ramp longer than seventy-two (72) hours after notification thereof by a law enforcement officer or duly authorized Village official. Any such vehicle not removed within seventy-two (72) hours is declared to be a public nuisance and may be removed as provided in Section 10-1-31.

- (b) **Exemptions.** This Section shall not apply to a motor vehicle in an appropriate storage place or depository maintained in a lawful place and manner authorized by the Village of Elk Mound.

Cross-Reference: Section 10-5-1.

Sec. 10-1-33 through Sec. 10-1-39 Reserved for Future Use.

