

TOWN OF DAYTON

NO PARKING AND TOWING ORDINANCE NO. 06/18/24(2024)

The Town of Dayton by its Board of Supervisors hereby adopts, and does now hereby ordain, the following ordinance pertaining to parking restrictions and towing on all Town roads, as set forth below.

PURPOSE: The purpose of this ordinance is to reduce hazards and improve road safety on Town roads by prohibiting parking, enabling the posting of signage, restricting parking, and giving notice of towing to remedy violations.

Accordingly, the Town changes the name of **Article III, Section 46.52** “Authority to require that vehicles be towed” to “Parking restrictions on roads in the Town and vehicle towing”. Additionally, the current subsections 46.52(a) and (b) of the Town ordinances are hereby deleted in their entirety and recreated and adopted as set forth below.

Sec 46-52. - **Parking restrictions on roads in the Town and vehicle towing.**

(a) **Parking restrictions.** There shall be NO PARKING (the term “parking” includes parking, stopping, or standing) of motor vehicles on the improved portion of the traveled way of any roadway within the Town of Dayton at any time, and there shall be NO PARKING of motor vehicles on Town road highways or public right-of-ways, adjacent to the improved portion of any roadway, when appropriate signs giving notice of such NO PARKING have been erected and are in place in locations listed below, these no parking restrictions shall be effective either at all times, or at such other times, as indicated by the signs. Below is a current list of NO PARKING areas within the Town.

1. Butternut Road from intersection of Long Cove Road South 1300 feet
2. Cleghorn Road from the north town line to Country Lane
3. Crystal Road from County Road K southbound to Danielson Road
4. Knight Lane from north town line to Knight Lane Bridge
5. Long Cove Road from Camp Road to Cleghorn Road
6. The West Shoulder of Marl Lake Road (access) from the water’s edge to Whispering Pines Road
7. Parfreyville Road from N2097 Parfreyville Road to N2123 Parfreyville Road
8. Snug Harbor Road from Cleghorn Road to the end of the road
9. Rural Road from Ashmun Road to Main Street
10. Rural Road from Emmons Creek Road to E995 Rural Road
11. Rural Road from 200’ south of Pope Lake Access Trail to 200’ north of Hartman Creek
12. West Miner Drive from Cleghorn Road to the North town line
13. West Spencer Lake Road N1465 West Spencer Lake Road to the water’s edge
14. Whispering Pines Road from Rural Road to the north town line
15. South Miner Drive from West Miner Drive to the end of the road
16. Sanders Road from 200 feet North of the Crystal River Bridge to 200 feet South of the Crystal River Bridge

Below is a current list of designated tow zone(s)

1. Whispering Pines Road from Rural Road to the north town line

Exception with permit: For residences that abut West Spencer Lake Road (northbound) from the water's edge to N1465 West Spencer Lake Road, the owners may apply to the town for a permit to park in the town road right-of-way, for guests of the owner or lessee of these residences, and for commercial enterprises providing services to these residences, to park in the right-of-way off the improved traveled portion of this section of road.

Exception for vehicles with special license plates, or displayed cards or emblems for disabled persons: The parking restrictions in this section do not apply to vehicles bearing special registration license plates issued under Wis. Stats. s. 341.14 (1) – disabled veterans, (1a) – personal disability, (1e) – personal disability, (1m) – driver for disabled person, or (1q) – disabled employee, or a motor vehicle, other than a motorcycle, upon which a special identification card issued under s. 343.51 is displayed or any vehicle 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.

Exception for vehicles with a current public access sticker: The parking restrictions of this section do not apply to vehicles displaying a current public access sticker provided by Waupaca County or the State of Wisconsin on the sections of the following roads:

1. Long Cove Road between Butternut Road and Cleghorn Road
2. Court Road
3. West Spencer Lake Road between N1405 West Spencer Road and N1429 West Spencer Road

Exception for government and maintenance vehicles: The parking restrictions of this section do not apply to government and maintenance vehicles on following section of roads:

1. Long Cove Road (eastbound) between Butternut Road and Cleghorn Road

(b) **Removal of illegally parked vehicles.** “Traffic officer” means every officer authorized by law to direct or regulate traffic or to make arrests for violation of traffic regulations. Any traffic officer discovering a vehicle parking in violation of this ordinance, and whenever any traffic officer finds a vehicle standing upon a highway in violation of a prohibition, limitation or restriction on stopping, standing or parking imposed under Wis. Stats. chapter 346 may request the owner or occupant to voluntarily remove such vehicle to a position where parking is not prohibited. The traffic officer may also authorize the towing (removal) and storage of such vehicle by any qualified personnel and facility. In addition to forfeitures and other remedies provided by this ordinance, the owner of the vehicle(s) removed shall pay the actual costs associated with the moving, towing and storage of the vehicle(s) to the personnel and facility removing and storing the vehicle.


(c) Forfeitures for parking violations:

- (i) Forfeitures shall be the minimum forfeiture permitted by the then current Town "Schedule of penalties", as adopted by the Town Board from time to time, for first offense when paid within five (5) days
- (ii) Forfeitures are automatically doubled if not received within 30 days
- (iii) Forfeitures are increased to double the minimum forfeiture for a second offense within 12 months
- (iv) Cost and fees for collection of unpaid forfeitures and court fees and assessments may be added or costs associated with cost of suspension or tax intercept pursuant to s. 345.28, Wis. Stats. may be added to the forfeiture
- (v) Failure to pay the forfeiture within thirty (30) days of issuance may also result in the suspension of vehicle registration(s).


(d) Procedure for contesting citation: If a subject wishes to contest a parking citation, he/she must make arrangements with the Waupaca County Clerk of Courts, Courthouse, 811 Harding Street, Waupaca, WI, 54981 for a hearing by the court.

(e) Parking and other traffic signs: The Town chairperson, or his or her designee, shall place appropriate parking and/or traffic signs on the above-described roads and highways. Sign placement is governed by the Manual on Uniform Traffic Control Devices authorized under s. 84.02 (4) (e), Wis. Stats.; however, deviation from strict compliance with sign placement shall not render the validity of the restrictions in this ordinance either invalid or unenforceable.

Adopted by requisite vote of the Board of Supervisors of the Town of Dayton on the 18th day of June, 2024. The Town Clerk shall proceed to publish this ordinance as required by law.



Jeffrey Barlow, Town Chairman



Wanda Hiltgen, Town Clerk