

CHAPTER 7
TRAFFIC CODE

7.01	State Traffic Laws Adopted
7.02	Adoption of Wisconsin Administrative Code
7.03	Through Streets Designated
7.04	Prohibited Parking
7.05	Snow Emergency and Parking Restrictions
7.06	Speed Limits
7.07	Stop Signs
7.08	Operation of Motor Vehicles Held Out to Public Use
7.09	Classification of Weight Limitations on Town Highways
7.10	Official Traffic Signs, Signals and Markers
7.11	Snowmobiles
7.12	All-Terrain Vehicle (ATV) / Utility Terrain Vehicle (UTV)
7.13	Operation of Low-Speed Vehicles
7.14	Disorderly Conduct with a Motor Vehicle
7.15	Enforcement
7.16	Penalty

7.01 STATE TRAFFIC LAWS ADOPTED

- 1) Except as otherwise specifically provided in this Chapter, the statutory provisions in Chapters 340 to 348 and Section 941.01, Wisconsin Statutes, describing and defining regulations with respect to vehicles and traffic, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations 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 statute incorporated herein by reference is required or prohibited by this Chapter. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this Chapter in order to secure uniform state-wide regulation of traffic on the highways, streets and alleys of the State of Wisconsin.

Established April 17, 2001

7.02 ADOPTION OF WISCONSIN ADMINISTRATIVE CODE

1) SECTIONS ADOPTED

- (a) Chapter TRANS 305 of the Wisconsin Administrative Code is hereby adopted by reference as though set forth fully herein, with the exception of Chapter TRANS 305.04, Wisconsin Administrative Code.

2) PENALTIES

- (a) Penalties for violation of any of the above adopted Wisconsin Administrative Code Provisions shall result in a forfeiture of not less than ten (\$10) nor more than two-hundred (\$200) dollars, pursuant to Section 110.075(7), Wisconsin Statutes.

Established April 17, 2001

7.03 THROUGH STREETS DESIGNATED

- 1) The following Streets are designated arteries for through traffic:
 - (a) South Shore Dr
 - (b) North Shore Dr

Revised 9.9.2025

7.04 PROHIBITED PARKING

1) Unless otherwise authorized by the Town Board, no person shall park any vehicle in the following areas:

- (a) On Bluegill Road, commencing at a point one-hundred fifty (150) feet north of South Shore Drive and extending to a point one-hundred (100) feet south of the Shore of Delavan Lake at any time.
- (b) On the East and West side of North Shore Dr starting at the Southerly limits of the City of Delavan and continuing Southerly to a distance of two-tenths (2/10) of a mile to the South side of the North Shore bridge at the Delavan Outlet crossing.
- (c) On either side of Prairie Avenue.
- (d) On either side of Town Hall Road.
- (e) On either side of South Shore Drive from State Hwy 50 to Bailey Road, except that parking shall be allowed in this area so long as any vehicle is parked completely off the paved portion of the Roadway.
- (f) On either side of South Shore Drive between County Trunk "O" and Blue Gill Rd.
- (g) On either side of Spruce Drive, between October 1st and May 15th.
- (h) On either side of Poplar Drive, between October 1st and May 15th.
- (i) On either side of Mulberry Avenue, between October 1st and May 15th.
- (j) On either side of Chestnut Avenue, between October 1st and May 15th.
- (k) On either side of Central Boulevard, between October 1st and May 15th.
- (l) On either side of Ash Street, between October 1st and May 15th.
- (m) On either side of Cherry Avenue, between October 1st and May 15th.
- (n) On either side of Beach Avenue, between October 1st and May 15th.
- (o) On either side of Lake Avenue, between October 1st and May 15th.
- (p) On either side of West Channel Drive, between October 1st and May 15th.
- q) On those portions of North Shore Drive east of its intersection with Sylvan Drive and south of its

intersection with Sage Road where designated by official signs erected by the Town's Public Works Department.

Established April 17, 2001; Revised November 19, 2002; revised August 19, 2003, revised, 3.19.08, Ordinance 286, revised 1.19.2021 Ordinance 398

7.05 SNOW EMERGENCY AND PARKING RESTRICTIONS

1) SNOW EMERGENCY

- (a) There is hereby declared an emergency to exist in the Town of Delavan by reason of a heavy snowstorm whenever snow falls during any period of twenty-four (24) hours or less to a depth of two (2") inches or more in that such storm constitutes a serious public hazard impairing transportation, the movement of food and fuel supplies, medical care, fire, health, police protection, snow removal equipment and other vital facilities of the Town. Such emergency is declared to continue until such time as snow-plowing operations have been declared complete.

2) PARKING RESTRICTIONS

- (a) It shall be a violation of this Code for any person to park, or suffer to be parked, any vehicle of any kind or description during any time of the day or night inclusive, upon the roadway, so as to cause obstruction of plowing, block traffic, or inhibit traffic flow for emergency purposes including, but not limited to, those purposes set forth in Section 349.13(1e) (c) 2, Wisconsin Statutes herein.

3) PENALTY

- (a) Any person violating the provisions of this Section, shall, at their own expense, have their vehicle towed by the Town of Delavan Police Department to the area they so designate. Person or persons so in violation of this Section, shall upon conviction thereof, be punished by forfeiture not to exceed two-hundred (\$200) dollars, plus costs.

Established April 17, 2001

Revised 9.9.2025

7.06 SPEED LIMITS

1) The reasonable and safe speed limits set forth in this Section are in accordance with Section 349.11, Wisconsin Statutes, and have been approved by the State Highway Division of the Department of Transportation, when required.

2) THE SPEED LIMIT SHALL BE FIFTEEN (15) MILES PER HOUR ON THE FOLLOWING ROADS LOCATED IN THE TOWN OF DELAVAN:

- (a) ACCESS RD
- (b) ALMOND RD
- (c) ARNOLD DR
- (d) ASH ST
- (e) BEACH ST, South of the channel
- (f) BREEZY ST
- (g) CAMERON ST
- (h) CAROL ST
- (i) CEDAR POINT DR
- (j) CENTRAL BOULEVARD
- (k) CHANNEL DR
- (l) CHERRY AVE
- (m) CHESTNUT ST
- (n) COCHRANE ST
- (o) COLLIE ST
- (p) COOL ST
- (q) COMUS DR
- (r) DARLINGTON ST
- (s) DELAVAN DR
- (t) DELVIEW AVE
- (u) DUSK DR
- (v) EAGLE ST
- (w) FIRST ST
- (x) FLEMING DR
- (y) GRASSIE PLACE
- (z) GREEN MEADOW DR
- (aa) HICKORY COURT
- (bb) HILLCREST DR
- (cc) HILLVIEW RD
- (dd) HOMESTEAD RD
- (ee) HORSESHOE LANE
- (ff) HOUSE ST
- (gg) HUNTINGTON PLACE
- (hh) INDUSTRIAL DR
- (ii) INLET SHORE DR
- (jj) JACKSON PARK DR

(kk) JONES ST
(ll) KING ST
(mm) LAKE AVE
(nn) LAKEVIEW RD
(oo) LOCUST ST
(pp) MABIE ST
(qq) MANOR DR
(rr) MASON ST
(ss) MULBERRY AVE
(tt) NEGLAY AVE
(uu) ORANGE ST
(vv) POPLAR DR
(ww) RICKORDS ST
(xx) ROYAL OAKS DR

(yy) SCHROEDER AVE
(zz) SHADY ST
(aaa) SPRUCE ST
(bbb) SUMMER ST
(ccc) SUNNY AVE
(ddd) SUTTER AVE
(eee) SWAN CREEK AVE
(fff) TILDEN AVE
(ggg) TIMBER TRAIL
(hhh) VALENCIA DR
(iii) WALLIS AVE
(jjj) WELLS ST
(kkk) WOODLAWN DR
(lll) WINTER DR

**3) THE SPEED LIMIT SHALL BE TWENTY-FIVE (25) MILES PER HOUR ON
THE FOLLOWING ROADS LOCATED IN THE TOWN OF DELAVAN:**

(a) BLUE GILL RD
(b) BLUE HERON DR
(c) COUNTRY VIEW DR
(d) FOX LANE
(e) OXTAIL LANE
(f) LINN RD
(g) PRAIRIE DR
(h) SAGE RD
(i) SOUTH SHORE DR from its intersection with State Hwy 50
southwesterly to its intersection with Bailey Road.
(j) SOUTH SHORE DR from Robbins Street, westerly to Carol
Street.
(k) DEER RUN

Revised 9.9.2025

- (l) Marine Way
- (m) Streblow Street
- (n) Huron Street
- (o) Fontana Street
- (p) Barnum Lane
- (q) Andes Circle
- (r) Boss Street
- (s) Mills Lane
- (t) Whiting Street
- (u) Olympic Street
- (v) Decker Street
- (w) Rockwell Street

Revised 11.19.2024 Ordinance 436

4) THE SPEED LIMIT SHALL BE THRITY (30) MILES PER HOUR ON THE FOLLOWING ROADS LOCATED IN THE TOWN OF DELAVAN:

- (a) **NORTH SHORE DR** from Soper's Corner, northerly and easterly to a point one-tenth (0.10) of a mile north of the bridge over the outlet of Delavan Lake.

5) THE SPEED LIMIT SHALL BE THIRTY-FIVE (35) MILES PER HOUR ON THE FOLLOWING ROADS LOCATED IN THE TOWN OF DELAVAN:

- (a) **BORG ROAD** from the intersection with North Shore Drive northerly for a distance of four-tenths (0.40) mile to Linn Road.
- (b) **HOLIG LANE** from its intersection with County Hwy "F" westerly to its intersection with South Shore Drive.
- (c) **NORTH SHORE DRIVE** from County Hwy "O", easterly to the place known locally as Soper's Corner, a distance of eight-tenths (0.80) of a mile.
- (d) **SOUTH SHORE DRIVE** from Bailey Road, southwesterly to Robbins Street, also known as Robbins Road.
- (e) **SOUTH SHORE DRIVE** from Carol Street, westerly to County Hwy "O".
- (f) **STATE HIGHWAY 50** from the north intersection with County Hwy "F", a distance of one (1) mile.
- (g) **THEATRE ROAD** for southbound traffic commencing at a point, parallel with the northerly Village limits of the Village of Williams Bay, said Village limit immediately adjacent to Theatre Road and most northerly point there from, and for northbound traffic on Theatre Road commencing at the southwest corner of **Section 36, T2N, R16E**, northward to the northernmost

Revised 9.9.2025

Village limit of the Village of Williams Bay immediately adjacent to Theatre Road.

6) THE SPEED LIMIT SHALL BE FORTY-FIVE (45) MILES PER HOUR ON THE FOLLOWING RDS LOCATED IN THE TOWN OF DELAVAN:

- (a) On Bailey Road between State Hwy 67 and Tilden Ave.
- (b) On that portion of Mound Road between its intersection with State Hwy 11 easterly to a point one-thousand (1,000') feet east of its grade crossing with the railroad tracks.
- (c) On Theatre road between the south line of the Town of Delavan and its intersection with State Highway 50.
- (d) On Town Hall Road, State Hwy 50 to State Hwy 67.
- (e) On Goose Pond Road, CTH to Cobblestone Rd
- (f) On Dam Road between the Delavan City Limits ad Sugar Creek Town Limits
- (g) On that portion of Amos Road within the Town's jurisdiction from its intersection with Briggs Road east to the Elkhorn City limits.
- (h) On that portion of Cobblestone Road from Highway 11 North to Amos Road.

Established April 17, 2001, Ordinance 301, Ordinance # 359, Ordinance #363A, Ordinance #381, Ordinance #400, Ordinance #441

7.07 STOP SIGNS

1) VEHICLES TO STOP AT STOP SIGNS

- (a) Every operator of a vehicle approaching an official stop sign at an intersection shall cause such vehicle to stop before entering the intersection except when directed to proceed by a traffic officer or traffic control signal.

2) LOCATION OF STOP SIGNS

- (a) Stop signs shall be erected and maintained at the following locations:

STREET NAME	DIRECTION	CROSS STREET
Amos Rd	Eastbound & Westbound	At Briggs Rd
Amos Rd	Westbound	At Cobblestone Rd

Revised 9.9.2025

Ash St	Southbound	At South Shore Dr
Bailey Rd	Eastbound	At State Hwy 67
Bailey Rd	Eastbound & Westbound	At County Rd F South
Bailey Rd	Eastbound & Westbound	At Theatre Rd
Bailey Rd	Westbound	At South Shore Dr
Bayview Rd	Eastbound	At State Hwy 67
Beach St	Northbound	At South Channel Dr
Blue Gill Rd	Southbound	At South Shore Dr
Blue Heron Rd	Westbound	At Borg Rd
Borg Rd	Northbound & Southbound	At North Shore Dr
Breezy St	Westbound	At State Hwy 50
Briggs Rd	Southbound	At State Hwy 11
Cedar Point Dr	Westbound	At North Shore Dr
Central Blvd	Northbound	At South Channel Dr
Central Blvd	Southbound	At South Shore Dr
Cherry Ave	Southbound	At South Shore Dr
Chestnut Ave	Southbound	At South Shore Dr
Circle Dr	Eastbound	At State Hwy 67
Cobblestone Rd	Southbound	At State Hwy 11
Comus Dr	Eastbound	At County Rd O North
Countryside Dr	Southbound	At Bailey Rd
Country View Dr	Northbound	At Town Hall Rd
Country View Dr	Northbound	At Town Hall Rd
Delavan Dr	Westbound	At County Rd F North
Delview Ave	Eastbound	At County Rd O South
Dusk Dr	Westbound	At Cobblestone Rd
Eagle St	Westbound	At State Hwy 50
First St	Westbound	At State Hwy 50
Fox Lane	Northbound	At South Shore Dr
Glenwood Rd	Eastbound	At State Hwy 67
Goose Pond Rd	Eastbound	At Cobblestone Rd
Goose Pond Rd	Westbound	At County Rd O North
Grassie Place	Northbound	At South Shore Dr
Green Meadow	Northbound	At Linn Rd
Hickory Court	Eastbound	At State Hwy 67
Hillcrest Dr	Northbound	At Linn Rd
Hillcrest Dr	Westbound	At Borg Rd
Hillview Rd	Eastbound	At State Hwy 67
Holig Lane	Eastbound	At County Hwy F South
Holig Lane	Westbound	At South Shore Dr
Homestead Rd	Eastbound	At County Rd O South or Second St (City)

Revised 9.9.2025

House St	Southbound	At Delavan Dr
Inlet Shore Dr	Westbound	At State Hwy 50
Jackson Park Dr	Westbound	At North Shore Dr
Lake Ave	Southbound	At South Shore Dr
Lake Trail Dr	Eastbound	At North Shore Dr
Linn Rd	Eastbound	At North Shore Dr
Linn Rd	Westbound	At Borg Rd
Locust St	Southbound	At South Shore Dr
Mabie St	Southbound	At Bailey Rd
Marsh Rd	Eastbound	At State Hwy 11
Marsh Rd	Eastbound & Westbound	At County Rd F North
Marsh Rd	Eastbound & Westbound	At Rail Road Tracks
Mason St	Southbound	At Grassie
Mills Ln	Westbound	At County Hwy F
Mound Rd	Eastbound	At State Hwy 67
Mound Rd	Eastbound & Westbound	At County Rd F North
Mulberry Ave	Southbound	At South Shore Dr
Neglay Ave	Westbound	At State Hwy 50
North Shore Dr	Northbound & Westbound	At Sage Rd
North Shore Dr	Westbound	At County Rd O South
North Shore Dr	Eastbound & Westbound	At Borg Rd
Oak Valley Cir	Eastbound	At North Shore Dr
Olympic St	Northbound	At Mills Ln
Olympic St	Southbound	At Barnum Ln
Orange St	Southbound	At South Shore Dr
Oxburg Trail	Southbound	Town Hall Rd
Poplar Dr	Southbound	At South Shore Dr
Prairie Dr	Northbound	At Town Hall Rd
Prairie Dr	Southbound	At State Hwy 50
Rockwell St	Eastbound	At Mills Ln
Royal Oaks Dr	Southbound	At State Hwy 11
S & D Townline Rd	Eastbound	At County Rd O South
Sage Rd	Northbound	At Linn Rd
Sage Rd	Southbound	At North Shore Dr
Schroeder Ave	Westbound	At County Rd F North
South Shore Dr	Southbound	At Bailey Rd
South Shore Dr	Westbound	At County Rd O South
Spruce St	Northbound & Southbound	At Channel Dr

Revised 9.9.2025

Spruce St	Southbound	At South Shore Dr
Summit Dr	Eastbound	At County Rd O South
Summit Dr	Northbound	At Sweet Rd
Sun Meadow Ct	Northbound	At Summit Dr
Sweet Rd	Eastbound	At County Rd O South
Theatre Rd	Southbound	At Bailey Rd
Theatre Rd	Eastbound	At State Hwy 67
Theatre Rd	Northbound & Southbound	At State Hwy 50
Theatre Rd	Northbound & Southbound	At State Hwy 50
Tilden Ave	Southbound	At Bailey Rd
Tilden Ave	Northbound	At South Shore Dr
Timber Trail	Southbound	At Linn Rd
Town Hall Rd	Eastbound	At State Hwy 67
Valencia Dr	Westbound	At County Rd F North
Wallis Ave	Westbound	At South Shore Dr
Wells St	Southbound	At Bailey Rd
Westshire Blvd	Southbound	At Town Hall Road
Whiting St	Northbound	At Mills Ln
Whiting St	Southbound	At Barnum Lane
Windward Hills Dr	Northbound	At North Shore Dr
Woodlawn Dr	Westbound	At North Shore Dr

Established April 17, 2001, Ordinance 308, Revised 12.17.2024 Ordinance 437

7.08 OPERATION OF MOTOR VEHICLES ON PREMISES HELD OUT TO PUBLIC USE

- 1) This section shall apply to all premises held out to the public for use of their motor vehicles, whether such premises are publicly or privately owned and whether or not a fee is charged for use thereof.
- 2) No person shall operate a motor vehicle on such premises:
 - (a) At a speed in excess of twenty (20) miles per hour.
 - (b) Outside of driving lanes indicated by painted lines.
 - (c) Across parking lot stalls indicated by painted lines, except when entering and occupying a parking stall.
 - (d) In a manner known as "Spinning Doughnuts," where the vehicle is driven rapidly in a tight radius.
 - (e) At a rapid or sudden acceleration that results in the squealing of tires or the leaving of tire marks.
 - (f) The wrong way in a driving lane, where such wrong way is indicated by painted arrow, or by the entry angle

Revised 9.9.2025

of adjoining parking stalls.

Established April 17, 2001

7.09 CLASSIFICATION OF WEIGHT LIMITATIONS ON TOWN HIGHWAYS

1) CLASS "B" HIGHWAYS DESIGNATED

- (a) All roads, highways and alleys within the Town are designated as Class "B" Highways and shall be subject to the weight limitations imposed by Section 348.16, Wisconsin Statutes.

2) SPECIAL OR SEASONAL WEIGHT LIMITATIONS

- (a) The Town Chairperson is empowered to exercise the authority granted by Section 349.17(1), Wisconsin Statutes, to impose temporary seasonal special weight limitations on any Town road or portion thereof which, because of weakness of the roadbed due to deterioration, climatic conditions, other special or temporary condition, would likely be seriously damaged or destroyed in the absence of such special limitations.
- (b) Imposition of the special weight limitations authorized by Subsection a) above shall be done by erecting signs on or along the highway on which it is desired to impose the limitation sufficient to give reasonable notice that a special weight limit is in effect and the nature of that limitation.
- (c) The Town Chairperson is further empowered to exercise the discretion authorized by Section 349.16, Wisconsin Statutes, to exempt vehicles carrying certain commodities such as construction materials and fuel from the limitations imposed by Subsection a) above or to set different weight limitations than those imposed by Subsection a) above for vehicles carrying such commodities if, in the judgment of the Chairperson, the exemption or limitation is reasonable and necessary to promote the public health, safety and welfare.
- (d) Notwithstanding the provisions of section 7.09 1), no person shall operate a vehicle with a gross vehicle weight in excess of eight (8) tons on Blue Gill Road north of South Shore Drive or on the Town boat launch on the north end of Blue Gill Road, as indicated by

Revised 9.9.2025

signs erected as required by s. 349.16 (2), Wis. stats., giving notice of such weight limitation, except:

- i. when the vehicle is being operated under a permit expressly authorizing such weight limitations to be exceeded or is being operated as authorized under section 348.17 (4), Wis. stats.
- ii. when the vehicle, whose operation is pickup or delivery, is moving or delivering supplies or commodities to or from any place of business or residence on Blue Gill Road.

Established April 17, 2001, Revised 8.17.2021 Ordinance 404

7.10 OFFICIAL TRAFFIC SIGNS, SIGNALS AND MARKERS

1) DUTY OF THE CHIEF OF POLICE TO ERECT AND INSTALL UNIFORM TRAFFIC CONTROL DEVICES

- (a) Whenever traffic regulations created by this Chapter, including a State traffic regulation, adopted by reference in Section 7.01 of this Chapter, require the erection of traffic control devices for enforcement, the Chief of Police, with the cooperation of the Town Highway Department, shall cause the procurement, installation and maintenance of uniform traffic control devices conforming to the Uniform Traffic Control Device Manual promulgated by the Wisconsin Department of Transportation, giving notice of such traffic regulation to the users of the streets and highways on which such regulations apply. Whenever State law grants discretion to local authorities in erecting or placement of a uniform traffic control device, devices shall be erected in such locations and in such a manner as, in the judgment of the Chief of Police, will carry out the purposes of this Chapter and give adequate warning to users of the streets and highways of the town.

2) PROHIBITED SIGNS AND MARKERS IN HIGHWAYS

- (a) No person other than an officer authorized by this Chapter to erect and maintain official traffic control devices, or his designee, shall place within the limits of any street or highway maintained by the Town

Revised 9.9.2025

any sign, signal, marker, mark or monument unless permission is first obtained from the Town Board. Any sign, signal, marker, mark or monument placed or maintained in violation of this subsection shall be subject to removal, as provided in Subsection 3 below.

3) REMOVAL OF UNOFFICIAL SIGNS, SIGNALS, MARKERS AND TRAFFIC CONTROL DEVICES

- (a) The Chief of Police shall cause to be removed any sign, signal, marker 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, marker or device shall be reported by the Chief of Police to the Town Board for review and certification at its next regular meeting following the imposition of the charge. Any charge not paid on or before the next succeeding November 15 shall be placed upon the tax roll for collection as other special municipal taxes.

Established April 17, 2001

7.11 SNOWMOBILES

1) STATE SNOWMOBILE LAWS ADOPTED

- (a) Except as otherwise specifically provided in this chapter, the statutory provisions describing and defining regulations with respect to snowmobiles in the following enumerated sections of the Wisconsin Statutes are hereby adopted by reference and made part of this section as if fully set forth herein. Acts required to be performed or prohibited by this section, are as follows:

- | | | |
|------|---------|---|
| i. | 350.01 | Definitions |
| ii. | 350.02 | Operation of Snowmobiles on or in the vicinity of a Highway |
| iii. | 350.03 | Right of Way |
| iv. | 350.04 | Snowmobile Races, Derbies and Routes |
| v. | 350.045 | Public Utility Exemption |
| vi. | 350.047 | Local Ordinance to be filed |
| vii. | 350.05 | Operation by Youthful Operators Restricted |

Revised 9.9.2025

- viii. 350.055 Safety Certification Program Established
- ix. 350.07 Driving Animals
- x. 350.08 Owner Permitting Operation
- xi. 350.09 Head Lamps, Tail Lamps and Brakes
- xii. 350.10 Miscellaneous Provisions for Snowmobile Operation
- xiii. 350.101 to 350.107 Operating a Snowmobile While Intoxicated Prohibited
- xiv. 350.11(1), 350.11(2g) Penalty
- xv. 350.12 Registration of Snowmobiles
- xvi. 350.13 Uniform Trail Signs and Standards
- xvii. 350.15 Accidents and Accident Reports
- xviii. 350.17 Enforcement
- xix. 350.18 Local Ordinances
- xx. 350.99 Parties to a Violation

2) APPLICABILITY OF RULES OF THE ROAD TO SNOWMOBILES

- (a) The operator of a snowmobile upon a Roadway shall, in addition to the provisions of Chapter 350, Wisconsin Statutes, be subject to Section 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 and 346.94.

3) OPERATION FORBIDDEN ON PUBLIC PROPERTY

- (a) Except as provided in Sections 350.02 and 350.03, Wisconsin Statutes, no person shall operate a snowmobile upon any public right-of-way, street, in any public park or on any public property unless the same or any part thereof have been designated as snowmobile routes and the trails have been clearly marked by Municipal Authorities.
- (b) Notwithstanding any provision of Section 7.11 3) (a) to the contrary, snowmobile and all terrain vehicle operation is permitted within the Delavan Community Park for the limited purpose of unloading and accessing the shores of Delavan Lake provided such operation is at a speed no greater than ten (10) miles per hour and that the route of operation is the most direct route from the point of unloading of said snowmobile or all terrain vehicle to Delavan Lake.

4) RULES OF THE ROAD ADOPTED

Revised 9.9.2025

- (a) If snowmobile routes are designated over public highways, operators of vehicles upon them shall observe the rules of the road for motor vehicles set forth in Chapter 346, Wisconsin Statutes, in addition to any special rules adopted by this section; and where operated over parks or other recreational areas, the speed shall not be in excess of posted speed limits.

5) UNATTENDED VEHICLES

- (a) No person shall leave or allow a snowmobile owned or operated by such person to remain unattended while the motor is running or with the starting key left in the ignition.

6) RIGHT-OF-WAY

- (a) Every pedestrian, skater, ice-boater and operator of a vehicle which is not motor driven shall have the right-of-way over a snowmobile and other motor vehicles. The operator of a snowmobile or other motor vehicle shall yield the right-of-way to all pedestrians, skaters, ice-boaters and operators and occupants of vehicles which are not motor driven. Every pedestrian shall have the right-of-way over a skater and ice-boater. Every skater shall have the right-of-way over ice-boaters.

7) SNOWMOBILE COMPETITION

- (a) No person shall engage in snowmobile competition within the Town between 10:30 p.m. and 7:30 a.m.
- (b) Written application must be filed with the Clerk at least 2 weeks prior to the proposed competition. Said application must show date or dates, time, location and the person or entity responsible for the administration of the event, and must be signed by the landowner or lessee, and specify how compliance with Section 350.03, Wisconsin Statutes, will be maintained and how the area is to be lighted if used during hours of darkness.
- (c) A five (\$5) dollar premises permit fee must be tendered with the application.
- (d) One application and, if so issued, one premises permit

Revised 9.9.2025

may be used for more than one (1) date, but no date more than two (2) months in advance.

- (e) Applicant must also file with the Town Clerk proof of spectator liability insurance in force covering the event with minimum limits of liability of one million dollars (\$1,000,000), or proving financial responsibility by filing a bond or a certificate of deposit of money or securities or a certificate of self-insurance of the kind contemplated in Section 344.30, Wisconsin Statutes.
- (f) The use of the premises must conform to the requirements of the zoning and building regulations of the Town.
- (g) A premises permit may be revoked by the Board at any time for cause.

8) WARNING REFLECTORS

- (a) Any snowmobile or other vehicle or similar obstruction used or remaining on the ice in any waters of the Town during the hours of darkness must be equipped with reflectors of luminous red material so that a reflector can be seen from any direction, and each reflector being at least twenty-five (25) square inches in size and situated three (3) to forty-two (42) feet above the surface of the ice.

9) OTHER VEHICLES

- (a) Excluding Sections 350.04, 350.05, 350.055, 350.10, and 350.11, Wisconsin Statutes, any portion of this section relating to snowmobiles applies as well to any other motor driven sporting craft or recreational vehicle principally manufactured for off-highway use on land, ice or as an amphibious craft or vehicle.

10) TOWN CLERK TO FILE SECTION

- (a) Pursuant to Section 350.047, Wisconsin Statutes, the Town Clerk is hereby authorized and directed to send a copy of this section to the Department of Natural Resources and the Walworth County Sheriff's Department.

11) PENALTY

- (a) Any person who shall violate any of the provisions of this section shall be subject to forfeiture as provided in Section 25.04 of this code or as otherwise mandated by Chapter 350, Wisconsin Statutes.

Established April 17, 2001, Ordinance 388

7.12 All-Terrain Vehicle (ATV) / Utility Terrain Vehicle (UTV)

1) Definitions

This ordinance adopts all definitions set forth in Wis. Stats., §340.01 and Administrative Code Section NR 64.02 and Wis. Stats., §23.33. The definitions in effect as of the adoption of this ordinance are set forth in Exhibit A to this Chapter 7.

2) Routes

The following streets/roadways are designated as routes:

- (a) Under Wis. Stats. § 23.33(8)(b)2., the Town of Delavan designates all Town maintained streets, roadways, alleys, highways, and Town maintained parking lots as ATV/ UTV routes except as posted.
- (b) Under Wis. Stat. § 23.33(11)(am)4., the Town of Delavan authorizes the operation of ATV's and UTV's on all County highways within the Town of Delavan municipal limits as well as all State highways within the Town of Delavan municipal limits with a posted speed limit of 35mph or less.

3) Conditions of Use of Routes

As a condition for the use of these routes, the following conditions shall apply to all operators (and passengers);

- (a) Hours of operation are from 5:00 am until 11:00 pm.
- (b) All ATV/UTV operators are required to be 18 years of age or older
- (c) All ATV/UTV operators must possess a valid driver's license

Revised 9.9.2025

- (d) All ATV/UTV passengers must be a minimum of 8 years of age or 80 pounds.
- (e) All ATV/UTV passengers under age 18 must wear a DOT approved helmet
- (f) No person shall operate an ATV/UTV on any roadway in the Town of Delavan without wearing any of the following eye protection:
 - i. A protective face shield attached to headgear.
 - ii. Glasses
 - iii. Goggles
 - iv. An ATV/UTV equipped with a windshield that rises a minimum of 15 inches above the handlebars or steering wheel.
- (g) All ATV/UTV operators are required to have at a minimum, liability insurance, and provide proof of said insurance.
- (h) All ATV/UTV's on public streets or roads (routes) are required to ride in single file format.
- (i) The operator and all passengers must ride in or on a commercially manufactured seat. All UTV operators and all passengers must ride with commercially manufactured seatbelts fastened. Riding in all other areas is prohibited. Prohibited examples are, on the lap of another passenger, in the dump-box, on the roof, on the bumper, etc.
- (j) Operators and/or passengers are prohibited from possessing any form of open alcohol containers or consumables.
- (k) Lighted whips are acceptable, however are restricted in color to Amber or White and must be forward facing.
- (l) All operators shall observe posted roadway speed limits.
- (m) All ATV/UTV Operators shall slow the vehicle to 10 mph or less when operating within 150 feet of a dwelling except when operating on a designated route not on a roadway.

- (n) Operation of ATV/UTVs for snow removal may occur at any time consistent with the Wisconsin Statutes.
- (o) All ATV/UTV operators born on or after January 1, 1988, are required to have an ATV/UTV safety certificate.

4) Equipment Requirements

All UTVs traveling on a town-maintained street, parking lots, alleyways, state or county roadway within the Town of Delavan, must at a minimum have the following equipment:

- (a) Two Head Lights and must be used at all times of operation
- (b) Taillights/Brake Lights - visible for 500 feet
- (c) Front/rear Turn Signals
- (d) Reflex reflector: one red on each side as far to the rear as practical, and one red on rear.
- (e) Seatbelts
- (f) Must operate with four rubber tires. (This does not apply to private property or on frozen navigable waters.) Track systems, skis or other forms of mobility are prohibited
- (g) Driver and passenger side rear view mirror
- (h) At least one brake that is operated by hand or foot
- (i) Horn
- (j) Current Registration
- (k) Current Trail Pass
- (l) All UTVs must have a commercially manufactured system of structural members designed to reduce the likelihood that an occupant would be crushed as the result of a rollover of device (Rollbar system.)
- (m) A VIN that conforms to the requirements of part 565 Vehicle Identification Number of this chapter.
- (n) A Type 1 or Type 2 seatbelt assembly conforming to Sec. 571.209 of this part, Federal Motor Vehicle Safety Standard No. 209, Seat belt assemblies, installed at each designated seating position.

- i. Aftermarket seating does not comply with the law and are prohibited.
 - ii. Passengers in cargo area of UTV whether in a seat or not if prohibited.
- (o) All UTVs traveling on a town-maintained street, parking lots, alleyways, state or county roadway within the Town of Delavan must be a commercially designed and manufactured motor driven device to which all the following applies:
 - i. It does not meet federal motor vehicle safety standards in effect on July 1, 2012; it is not a street legal golf cart, low-speed vehicle, dune buggy, mini-truck, or tracked vehicle; is designed to be used primarily off a highway, and has, and was originally, manufactured with, a weight, without fluids, of not more than 3000 pounds. 49 CFR 571.3(b)
 - ii. All UTVs must be a width not to exceed 65 inches but no less than 50 inches as measured laterally between the outmost wheel rim on each side of the vehicle, exclusive of tires, mirrors, and accessories that are not essential to the vehicle's basic operations.

5) Registration and Decal Display

All ATVs/ UTVs traveling on a town-maintained street, parking lots, alleyways, state or county roadway within the Town of Delavan, must use the following registration display requirements:

- (a) ATVs/UTVs must have two DNR decals. One decal for each side of machine.
- (b) Decals must be always forward of the operator and visible to law enforcement.
- (c) Decals shall not be blocked by the operator's body while in operation.
- (d) Until decals are received by mail, operators must possess the temporary operating receipt issued for the machine.

- (e) Operators shall carry all necessary registration cards and paperwork with them for display to law enforcement officer upon request.

6) Rear Registration ID Plate

All ATV's/UTVs traveling on a town-maintained street, parking lots, alleyways, state, or county roadway within the Town of Delavan, shall have a registration plate attached to the rear of the machine. Private Agricultural registrations do not need a plate. The plate may be commercially purchased by the owner - DNR does not provide them.

7) Rear Registration ID Plate Specifications

All ATVs/UTVs traveling on a town-maintained street, parking lots, alleyways, state or county roadway within the Town of Delavan, shall use the following ID Plate specifications:

- (a) A minimum of 4 inches high and 7 ½ inches wide
- (b) The plate shall be white in color and shall display the four-number and two-letter registration ID in black characters for the ATV/UTV issued by the Department.
- (c) The minimum 4" x 7 ½" area shall be white and shall only contain the registration ID characters. (Plates may be larger than the minimum size and the area outside the minimum white area may contain other graphics or colors.)
- (d) The registration ID numbers shall be located on the registration decals and registration certificate card.

8) Temporary Operating Receipt

Customers who submit registration applications and payment online, at a DNR Service Center or at a DNR license agent will receive a temporary operating receipt that allows for immediate operation until the registration decals and certificate are received by mail. Customers who submit their application and payment by mail will have to wait until they receive their materials in the mail before they can operate.

9) Change of address

Within 15 days of changing your address, you must notify the DNR in writing, stating your new address and the certificate number for the machine you own. This process is important to complete so that you receive a registration renewal notification by mail. You can also change your address by updating your customer account information at gowild.wi.gov. Add your email address and you will receive renewal notifications for all your recreational vehicles.

10) Prohibited Devices

The following devices do not meet the ATV/UTV definition and are prohibited in the Town of Delavan:

- (a) A motor-driven device that meets federal motor vehicle standards
- (b) A dune buggy
- (c) An ATV/UTV modified with tracks, skis, etc.
- (d) A homemade or non-commercially manufactured machine
- (e) An ATV/UTV that's been modified after original manufacture to meet the definition of weight or width whether by a dealer or by a private party
- (f) A non-street legal golf cart
- (h) A mini-truck
- (i) A dirtbike
- (j) A motorized scooter

Ordinance 434

11) Speed Limits & Operational Restrictions

All ATVs/UTVs traveling on a town-maintained street, parking lots, alleyways, state or county roadway within the Town of Delavan:

- (a) Must obey the posted regular motor vehicle speed limit when operating on a street or within a highway, or a reduced speed limit posted specifically for ATVs/UTVs that may be along the highway. Any ATV/UTV shall not travel faster than the posted speed limit at any time.

Revised 9.9.2025

- (b) Must obey all regulatory signs, such as stop signs, yield signs and speed limit signs.
- (c) Must stop your ATV/UTV after being requested or signaled to do so by a law enforcement officer.
- (d) Cannot operate at speeds that are unreasonable or improper.
- (e) Cannot operate in a careless manner so that it endangers a person or property.
- (f) UTV operators and passengers must have their seatbelts fastened at all times.
- (g) Cannot pass other motor vehicles or ATVs/UTVs unless stationary and parked.
- (h) Must use hand signals to indicate your turning or stopping intentions if ATV/UTV is not equipped with turn lamps.
- (i) The ATV/UTV shall operate at the extreme right side of the roadway surface.
- (j) Cannot operate on public property in areas closed to such operation. Ex- parks
- (k) Must dim multiple beam headlamps, adverse weather lamps, spot lamps, auxiliary lamps, high-beam lamps, or any other lamps when approaching oncoming ATVs/UTVs or other vehicles when within 500 feet, or when following a ATV/UTV or other vehicle when within 500 feet to the rear so that the glaring rays are not directed or reflected into the eyes of the operator of the other ATV/UTV or vehicle.
- (l) No lighted backup lamp or white lamp visible from directly behind may be displayed on any ATV/UTV upon a street or highway, or public area except when being driven backward.
- (m) No riding is permitted in areas designated as being for pedestrian use, including any sidewalk. No riding is permitted in bicycle lanes as marked by signal or road markings.

12) Prohibited Operators

The following are prohibited from operating ATV's/UTV's on a town-maintained street, parking lots, alleyways, state or county roadway within the Town of Delavan:

Revised 9.9.2025

- (a) Prohibited by law
- (b) Have not obtained a valid driver's license
- (c) Are under the age of 18
- (d) Incapable of operating because they are physically or mentally disabled
- (e) Under the influence of alcohol or drugs
- (f) Born on or after January 1, 1988, and who does not hold an ATV/UTV safety certificate.

13) Operation on and Around Waterways

No person shall not operate an ATV/UTV within the Town of Delavan in any navigable water, or on the exposed bed of any navigable water (including exposed lakebeds in front of your property) except:

- (a) To cross a stream by use of a bridge, culvert, ford or similar structure provided the crossing is in the most direct manner practical.
- (b) To launch or load a boat, canoe, or other watercraft in the most direct manner practical.
- (c) To access the frozen surfaces of any navigable waters provided the crossing or access is in the most direct manner practical. Machines operating on public, frozen waterways must display either valid public use registration decals or a valid trail pass. "Bed of a navigable water*" means all of the area below the ordinary high-water mark of a lake or stream. During low-water periods, there may be several feet or more of exposed lake or streambed that is closed to ATV/UTV and other vehicular traffic.

14) Exhaust and Noise Restrictions

All ATVs/UTVs traveling on a town-maintained street, parking lots, alleyways, state or county roadway within the Town of Delavan:

- (a) Must be equipped with a functioning muffler that prevents unusual or excessive noises.

- (b) No person may manufacture, sell, rent or operate an ATV/UTV in such a manner that noise emitted from the machine is louder than 96 decibels when measured on the "A" scale; measured in the manner prescribed in the reaffirmed 1998-07, Society of Automotive Engineers Standard J1287, Measurement of Exhaust Sound Levels of Stationary Motorcycles.
- (c) No one shall deny or refuse an inspection or testing of an ATV/UTV by any law enforcement officer who reasonably suspects a violation of an equipment requirement.
- (d) Must be always equipped with a spark arrester, even during the winter.
- (e) No person may manufacture, sell, rent, or operate an ATV/UTV that is louder than 96 decibels.
- (f) Shall not increase your exhaust noise or operate with your exhaust system in excess of normal operation.

15) UTV Crashes

All ATVs/UTVs traveling on a town-maintained street, parking lots, alleyways, state or county roadway within the Town of Delavan which are involved in a crash must:

- (a) Dial 911 for law enforcement response and fire rescue.
- (b) Remain on scene until the arrival of law enforcement and fire rescue.
- (c) Provide name, address, insurance information, and the registration number of the ATV/UTV to law enforcement, the person struck or to the operator or occupant of or person attending any vehicle collided with; and
- (d) Upon request, shall exhibit his or her operator's license to the person struck or to the operator or occupant of or person attending any vehicle collided with.

16) Firearms, bows, crossbows, other weapons

All ATVs/UTVs traveling on a town-maintained street, parking lots, alleyways, state or county roadway within the Town of Delavan shall not place, posses, or transport a firearm, bow, crossbow, in or on an ATV/UTV, unless one the following applies:

- (a) The firearm is unloaded and cased.
- (b) The firearm is a handgun which:
 - i. is cased
 - ii. is holstered and the person possess a valid concealed carry permit pursuant to Wisconsin law.
 - iii. is holstered and is plainly visible to persons outside the ATV/UTV.
- (c) The bow does not have an arrow nocked.
- (d) The crossbow is not cocked or is unloaded.

17) Winter (Snow Removal) ATV/UTV Use

All ATVs/UTVs traveling on a town-maintained street, parking lots, alleyways, state or county roadway within the Town of Delavan during the for Snow Removal must:

- (a) Operators may not travel at a distance greater than 1 mile from their original starting or loading point for the purpose of snow removal.
- (b) Machines must display one or more illuminated, yellow lights that are flashing or rotating and visible for 360 degrees.

18) ATV/UTV Routes

The Town of Delavan, Walworth County adopts the following All-Terrain Vehicle (ATV) / Utility Terrain Vehicle (UTV) routes for the operation of All-Terrain Vehicles (ATV) /Utility Terrain Vehicles (UTV).

- (a) An ATV/UTV route is a public street or roadway that is designated as being open to legal ATV/UTV use by local units of government. Routes must be designated through passage of a local ordinance and posted with ATV/UTV route (24"x 18") green signs with the white silhouette of an ATV/UTV along with appropriate directional arrows. All roads designated as ATV/UTV routes must be signed at

the beginning and end of a route and at such intervals that enable riders to follow the route. ATV/UTV route ordinances must be filed with any law enforcement agencies that have jurisdiction over the roadway.

OR

Post a sign at every entrance to the town advising: "All Town of Delavan Streets 35mph and under are designated ATV/UTV Routes unless posted."

- (b) No person may erect or remove any official designated route sign or signage, pursuant to this Ordinance, without the express, written authorization of the Town of Delavan Public Woks Department. Nothing in this section prevents groups, clubs, or organizations from paying for or contributing to the cost of the installation or maintenance of signage.

19) Tampering with Signage Prohibited

No person may do any of the following unless authorized to do so.

- (a) Intentionally remove, damage, deface, move or obstruct any uniform all-terrain and utility terrain vehicle route or trail sign or standard. 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.
- (b) Possession of any uniform ATV/UTV route or trail sign or standard of the type established by the town 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.

- (c) Possession of a uniform ATV/UTV route or trail sign or standard creates a rebuttable presumption of illegal possession.

20) Right of Closure

The town shall retain the right to close any Town streets to ATV/UTV operation for special events, street construction/repair, or any and all other legitimate or safety related purposes, without notice.

21) Parking

All ATVs/UTVs parking on a town-maintained street, parking lots, alleyways, state or county roadway within the Town of Delavan, whether in a marked parking stall or unmarked parking stall, or designated parking location shall:

- (a) Only use one machine per stall or designated parking location.
- (b) All other parking ordinances in the town for motor vehicles apply to ATV/UTV use.

22) Enforcement

This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.

23) Golf Carts

Notwithstanding any other provision of this chapter, golf carts may be operated on the following Town owned public highways:

- Arnold Place
- Breezy Street
- Cameron Street
- Cochrane Street
- Collie Street
- Cool Street
- Darlington Street
- Delavan Drive
- Eagle Street
- First Street
- Fox Lane
- Grassie Place
- House Street
- Inlet Shore Drive
- Jones Street

King Street
Locust Street
Mabie Street
Mason Street
Negley Avenue
Orange Street
Rickords Street
Schroeder Avenue
Shady Street
South Avenue
South Shore Drive between Wallis Avenue and the
entrance to the Delmar Beach
South Shore Drive at the intersections of Orchard
and South Shore and Fox and South Shore solely
for purposes of crossing South Shore Drive
Summer Street
Sunny Avenue
Sutter Avenue
Tilden Avenue
Valencia Drive
Wallis Avenue
Wells Street
Winter Street
All east-west alleys

(a) Golf carts being operated on any Town owned public highway listed in this subsection are subject to the following restrictions:

i. The operator of the golf cart must possess a valid motor vehicle drivers' license. No person may permit any unlicensed driver to operate a golf cart on any Town road.

ii. Golf carts shall not be operated during hours of darkness.

iii. Wisconsin Statutes chapter 346 shall apply to all golf carts being operated on Town roads.

iv. A slow moving vehicle emblem as defined in State Statutes 347.245 shall be displayed on the golf cart.

v. No owner or operator shall leave or allow any Golf cart to remain unattended on nay public

Revised 9.9.2025

highway or public property while the motor is running or with the starting key left in the ignition.

vi. Except when making a left hand turn or crossing a roadway, golf carts shall be operated on the extreme right side of the roadway.

vii. The operator of the golf cart shall yield the right-of-way to all other motor vehicle traffic.

viii. No person may operate a golf cart as authorized in this section unless the brake, steering, muffler systems and all other equipment of the golf cart are in good working order.

(b) The operator of any golf cart being operated on a Town owned public highway violating the drivers' license requirement listed in sub (i) above, or rules of the road as defined in chapter 346 Wisconsin Statutes may be issued a Wisconsin Uniform Traffic Citation.

7.13 OPERATION OF LOW-SPEED VEHICLES.

- 1) A low-speed vehicle may be operated on any roadway located within the territorial boundaries of the Town of Delavan which has a posted speed limit of 35 miles per hour or less.
- 2) As used in this section, "low-speed vehicle" means a low-speed vehicle as defined in section 340.01(27h), Wis. stats., as amended from time to time.
- 3) Conditions of Operation. Operation of a low-speed vehicle on a roadway as authorized in this section is subject to the following provisions, which shall apply to all operators (and passengers);
 - (a) Hours of operation are from 5:00 am until 11:00 pm.
 - (b) All operators are required to be 18 years of age or older
 - (c) All operators must possess a valid driver's license

Revised 9.9.2025

- (d) All passengers must be a minimum of 8 years of age or 80 pounds.
- (e) All operators are required to have at a minimum, liability insurance, and provide proof of said insurance.
- (g) All low-speed vehicles on public streets or roads are required to ride in single file format.
- (h) The operator and all passengers must ride in or on a commercially manufactured seat. All operators and all passengers must ride with commercially manufactured seatbelts fastened. Riding in all other areas is prohibited. Prohibited examples are, on the lap of another passenger, in the dump-box, on the roof, on the bumper, etc.
- (i) Operators and/or passengers are prohibited from possessing any form of open alcohol containers or consumables.
- (j) Lighted whips are acceptable, however are restricted in color to Amber or White and must be forward facing.
- (k) All operators shall observe posted roadway speed limits.

Established 10.15.2024 Ordinance 434

7.14 DISORDERLY CONDUCT WITH A MOTOR VEHICLE

1) GENERALLY

- (a) No driver of any vehicle shall make such a fast start or takeoff as to cause the tires to squeal or leave tire marks on the roadway, or to cause such vehicle to start from a stopped position in such a manner as to endanger life or property. No driver or any of his or her passengers shall cause any unnecessary disturbance with or from any vehicle.

2) OTHER ACTIONS PROHIBITED

- (a) No driver of any vehicle shall drive upon or allow such vehicle to roll upon, or across, or park upon any private or public property in the Town without the permission of the owner of such property.

Established April 17, 2001

7.15 ENFORCEMENT

Revised 9.9.2025

1) ENFORCEMENT PROCEDURE

- (a) This chapter shall be enforced in accordance with the provisions of Sections 345.20 to 345.53, Chapter 799 and Section 66.0114, Wisconsin Statutes.

2) DEPOSIT

- (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 Section 345.27, Wisconsin Statutes, or, if the deposit is mailed, the signed statement required under Section 345.27 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:
 - i. If they fail to appear in court at the time fixed in the citation, they will be deemed to have tendered a plea of no contest and submitted to forfeiture plus costs not to exceed the amount of the deposit.
 - ii. If they fail to appear in court at the time fixed in the citation, and if the court does not accept the deposit as forfeiture, they 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 Section 757.05, Wisconsin Statutes, and costs. If a deposit schedule has not been established, the arresting officer shall require the alleged offender to deposit the forfeiture established by the Municipal Court, which shall include the penalty assessment established under Section 757.05, Wisconsin Statutes. 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

therefore as required by the Section 345.26(3) (b),
Wisconsin Statutes.

3) STIPULATION OF NO CONTEST

- (a) Except as otherwise provided by statute, any person charged with a violation of this Chapter may make a stipulation of no contest pursuant to Section 345.27, Wisconsin Statutes, which may be received at the police station or by the Municipal Court Clerk. Such person shall, at the time of entering into the stipulation, make the deposit required under Subsection 2) if they have 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 Section 345.37, Wisconsin Statutes.

Established April 17, 2001

7.16 PENALTY

- 1) The penalty for violation of any provision of this Chapter shall be a forfeiture as hereafter provided, together with statutory court costs and penalty assessment, if applicable.

2) STATE FORFEITURE STATUTES

- (a) Forfeitures for a violation of Chapter 7 herein 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.

3) STATE FINE STATUTES

- (a) The forfeiture for violation of any statute adopted by reference hereunder for which the penalty is a fine shall not exceed the maximum fine permitted under such statute.

4) LOCAL REGULATIONS

- (a) The penalty for violations of Chapter 7 herein shall be as provided in Section 25.04 of this Municipal

Revised 9.9.2025

Code, unless otherwise prescribed by statute.

Established April 17, 2001

Revised 9.9.2025