

## TITLE 11

### Orderly Conduct

- 11-1-1 Offenses Against State Laws Subject to Forfeiture
- 11-1-2 Possession and Use of Firearms and Other Dangerous Weapons
- 11-1-3 Throwing or Shooting of Arrows, Stones of Other Missiles Prohibited
- 11-1-4 (Reserved)
- 11-1-5 (Reserved)
- 11-1-6 Loud and Unnecessary Noise Prohibited
- 11-1-7 Loitering Prohibited
- 11-1-8 Unauthorized Presence on School Property Prohibited
- 11-1-9 Presence on Cemetery Grounds Restricted
- 11-1-10 Consumption of Alcohol Beverages on Public Property and Parking Lots Prohibited
- 11-1-11 (Reserved)
- 11-1-12 Obedience to Officers
- 11-1-13 Littering
- 11-1-14 Truancy
- 11-1-15 Burning Regulations
- 11-1-16 Open Cisterns, Wells, Basements or Other Dangerous Excavations Prohibited
- 11-1-17 Abandoned or Unattended Iceboxes, etc., Prohibited
- 11-1-18 Curfew
- 11-1-19 Destruction of Property Prohibited
- 11-1-20 Library Regulations
- 11-1-21 Accidental Spills of Hazardous or Detrimental Substances
- 11-1-22 Uniform Citation Method Adopted
- 11-1-23 Water Traffic, Boating and Water Sports Upon the Waters of Neosho Pond Regulated
- 11-1-24 Purchase and Possession of Cigarettes and Tobacco Products Prohibited
- 11-1-25 to
- 11-1-29 (Reserved)
- 11-1-30 Penalty

## CHAPTER 1

### State Statutes Adopted

#### SEC. 11-1-1 OFFENSES AGAINST STATE LAWS SUBJECT TO FORFEITURE.

The following statutes defining offenses against the peace and good order of the State are adopted by reference to define offenses against the peace and good order of the Village of Neosho, provided the penalty for commission of such offenses hereunder shall be limited to a forfeiture imposed under Sec. 11-1-30 of this Code. Wis. Stat. 66.051.

## Orderly Conduct

11.346.935	Drinking in Motor Vehicles on Highway
11.940.19(1)	Battery
11.940.34	Duty to Aid Endangered Crime Victim
11.941.01	Negligent Operation of a Vehicle
11.941.10	Negligent Handling of Burning Materials
11.941.12	Interfering With or Failing to Assist in Firefighting
11.941.13	False Alarms and Interference with Firefighting
11.941.20	Reckless Use of Weapon
11.941.21	Disarming a Police Officer Prohibited
11.941.23	Carrying Concealed Weapon
11.941.24	Possession of Switchblade Knife
11.941.36	Fraudulent Tapping of Utilities
11.941.37	Obstruction of Emergency Vehicles Prohibited
11.943.01(1)	Criminal Damage to Property (Less than \$200)
11.943.06	Molotov Cocktails
11.943.11	Entry Into Locked Vehicle
11.943.125	Entry Into Locked Coin Box
11.943.13	Criminal Trespass to Land
11.943.14	Criminal Trespass to Dwellings
11.943.15	Entry Onto a Construction Site
11.943.20	Theft (Less Than \$100)
11.943.21	Fraud on Hotel or Restaurant Keeper
11.943.22	Use of Cheating Tokens
11.943.24	Issue of Worthless Checks
11.943.34	Receiving Stolen Property
11.943.50	Shoplifting
11.944.20	Lewd and Lascivious Behavior
11.944.23	Making Lewd, Obscene or Indecent Drawings
11.944.30	Prostitution
11.944.31	Patronizing Prostitutes
11.944.33	Pandering
11.944.34	Keeping Place of Prostitution
11.945.02	Gambling
11.945.04	Permitting Premises to be Used for Commercial Gambling
11.946.40	Refusing to Aid Officer
11.946.41	Resisting or Obstructing Officer
11.946.42	Escape
11.946.44	Assisting or Permitting Escape
11.946.65	Obstructing Justice
11.946.69	Falsely Acting as Public Officer
11.946.70	Impersonating Peace Officer
11.946.72	Tampering with Public Records and Notices
11.947.01	Disorderly Conduct
11.947.12	Unlawful Use of Telephone
11.947.125	Unlawful Use of Computerized Communication Systems
11.947.013	Harassment Prohibited
11.947.015	Bomb Scares
11.947.02	Vagrancy

Orderly Conduct

11.947.04	Drinking in Common Carriers
11.947.06	Unlawful Assemblies
11.948.01 -.70	Crimes Against Children
11.951.01 -.17	Crimes Against Animals
11.961.41 -	
11.962.50	Possession of a Controlled Substance
11.961.571-.577	Drug Paraphernalia

**SEC. 11-1-2      POSSESSION AND USE OF FIREARMS AND OTHER DANGEROUS WEAPONS.**

(a) **Definitions.** For the purpose of this section, the following definitions shall apply:

- (1) Firearm. Any weapon from which a shot may be fired by the force of an explosive or propellant, including, but not limited to, rifles, pistols, shotguns, air guns and BB guns.
- (2) Other Dangerous Weapon. Includes bow and arrow, crossbow, sling shot, blow gun and other similar weapons.
- (3) Public Building. Any building, including the grounds thereof, owned by the State or Federal governments, the City, the County or the public School District.
- (4) Public Land. Any land owned by the State or Federal governments, the City, the County or the public School District.
- (5) Public Place. Any privately owned building which is open to the public.

(b) **Possession of Firearms Prohibited.** In addition to the provisions of sub. (c) below, no person except duly authorized City, village, county, state or Federal law enforcement officers specifically authorized by law to carry firearms, shall possess a firearm while in any public building or on public land within the Village. No person shall possess a firearm while in any public place within the Village unless written consent to so possess a firearm has been given by the owner or lessee of such public place, and such possession is not contrary to §440.26, Wis. Stats.

(c) **Use of Firearms.**

- (1) Regulated. No person except an authorized police officer shall discharge any firearm within the Village or have any firearm in his possession within the Village unless it is unloaded and enclosed in a carrying case or other suitable container.

(d) **Use of Other Dangerous Weapons.**

(1) Regulated. No person shall shoot or discharge any other dangerous weapon anywhere in the Village except as provided in par. (2) below.

(2) Exceptions.

A. Supervised areas designated as shooting ranges by the Board.

**SEC. 11-1-3      THROWING OR SHOOTING OF ARROWS, STONES, OR OTHER MISSILES PROHIBITED**

No person shall throw or shoot any object, arrow, stone, snowball or other missile or projectile by hand or by any other means at any person or at, in or into any building, street, sidewalk, alley, highway, park, playground or other public place within the village.

**SEC. 11-1-4      (Reserved)**

**SEC. 11-1-5      (Reserved)**

**SEC. 11-1-6      LOUD AND UNNECESSARY NOISE PROHIBITED.**

(a) **General.** No person shall make or cause to be made any loud, disturbing or unnecessary sounds or noises such as may tend to annoy or disturb a person of ordinary sensibilities in or about any public street, alley or park or any private residence.

(b) **Sound Amplifying Equipment.** The following regulations shall apply to the use of sound amplifying equipment within the Village:

(1) Sound Amplifying equipment shall be permitted only to publicize events of community-wide interest and importance which are of a noncommercial nature.

(2) The only sounds permitted shall be music and human speech.

(3) Sound amplifying equipment shall be used only between 9:00 A.M. and 5:00 P.M., unless authorized by the Chief of Police.

(4) No sound advertising shall be permitted on Sundays or legal holidays.



## Orderly Conduct

- (5) The volume of sound shall be controlled so that it will not be audible for a distance in excess of 200 feet from its source and so that the volume of sound emitted therefrom shall not be unreasonably loud, raucous, jarring, disturbing or a nuisance to persons within the area of audibility.
- (c) **Construction and Machinery Noise.** Except for emergencies, between the hours of 9:00 P.M. and 7:00 A.M. no person shall do construction work or operate any chain saw, lawn mower or any other loud machinery of a similar nature.

### SEC. 11-1-7 LOITERING PROHIBITED.

- (a) **Loitering or Prowling.** No person shall loiter or prowl in a place at a time or in a manner not usual for law abiding individuals under circumstances that warrant alarm for the safety of persons or property in the vicinity. Among the circumstances which may be considered in determining whether such alarm is warranted is the fact that the person takes flight upon appearance of a police or peace officer, refuses to identify himself or manifestly endeavors to conceal himself or any object. Unless flight by the person or other circumstances makes it impracticable, a police or peace officer shall, prior to any arrest for an offense under this section, afford the person an opportunity to dispel any alarm which would otherwise be warranted by requesting him to identify himself and explain his presence and conduct. No person shall be convicted of an offense under this subsection if the police or peace officer did not comply with the preceding sentence, or if it appears, at trial, that the explanation given by the person was true and, if believed by the police or peace officer at the time, would have dispelled the alarm.
- (b) **Obstruction of Highway by Loitering.** No person shall obstruct any street, bridge, sidewalk or crossing by lounging or loitering in or upon the same after being requested to move on by any police officer.
- (c) **Obstruction of Traffic by Loitering.** No person shall loaf or loiter in groups or crowds upon the public streets, alleys, sidewalks, street crossings or bridges or in any other public place within the Village in such manner as to prevent, interfere with or obstruct the ordinary free use of such public sidewalks, streets, street crossings and bridges or other public places by persons passing along and over the same.
- (d) **Loitering After Being Requested to Move.** No person shall loaf or loiter in groups or crowds upon the public streets,

## Orderly Conduct

sidewalks or adjacent doorways or entrances, street crossings or bridges or in any other public place or on any private premises without invitation from the owner or occupant after being requested to move by any police officer or by any person in authority at such places.

- (e) **Loitering in Public Places.** No person shall loiter, lounge or loaf in or about any depot, theater, dance hall, restaurant, store, public sidewalk, public parking lot or other place of assembly or public use after being requested to move by the owner or person in charge or any police officer. Upon being requested to move, a person shall immediately comply with such request by leaving the premises or area thereof at the time of the request.

### SEC. 11-1-8      UNAUTHORIZED PRESENCE ON SCHOOL PROPERTY PROHIBITED.

- (a) **Presence Regulated.** It shall be unlawful for any person other than an authorized person, as hereinafter defined, to be present within any school building or upon any school grounds under the jurisdiction of the Board of Education of Joint School while school is in session, without having first secured authorization therefor from the principal or other person in charge of said premises, except while in direct route to secure said authorizations.
- (b) **Definition.** Authorized persons shall include:
  - (1) Students presently enrolled to attend school under the jurisdiction of the Board of Education of said School District, but excluding any student under suspension, expulsion, exemption or other discipline prohibiting such student from attending school under the jurisdiction of said School Board unless the terms of such prohibition expressly permit such presence.
  - (2) Employees of said School District.
  - (3) Any parent or guardian of any student or employee.
  - (4) Any person present at any school building or school grounds for any purpose previously authorized by the Board of Education of said District or its designee.
  - (5) Any person attending a school event.
- (c) **Posting Notice.** All entrances to school premises referred to in sub. (a) above shall be posted with notice that "Entry by Unauthorized Persons is Prohibited: Section 11-1-8, Municipal Code of Neosho, Wisconsin." Any person who knowingly

Orderly Conduct

obliterates or otherwise defaces any such notice shall be subject to a penalty.

- (d) **Authorization Display Required.** Any person shall, upon request of any police officer or other superintendent of schools, or the principal or other person in charge of any school building or school grounds under the jurisdiction of said School Board, display any written authorization to be present therein or thereon which may be in his possession, or otherwise explain such facts as constitute "authorizes person" status, defined in sub. (b) above.

**SEC. 11-1-9 PRESENCE ON CEMETERY GROUNDS RESTRICTED.**

- (a) It shall be unlawful for any person to be on the grounds of the Woodlawn Cemetery 1/2 hour after sunset to 1/2 hour before sunrise.
- (b) **Rollerblades, Skateboards and Bicycles Restricted.** It shall be unlawful for any person to rollerblade or skateboard on the grounds of the Woodlawn Cemetery. In addition, bicycles are only allowed on the paved road through Woodlawn Cemetery.

**SEC. 11-1-10 CONSUMPTION OF ALCOHOL BEVERAGES ON PUBLIC PROPERTY AND PARKING LOTS PROHIBITED.**

(a) **Definitions.**

- (1) Public Property. Any property, including buildings or structures thereof, which is owned, leased or operated by the City, or public, private or parochial schools; public sidewalks; roadways and streets; playgrounds; parks; and alleys.
  - (2) Public Parking Lot. Any area held out to be public for the parking of motor vehicles, whether such area is publicly or privately owned.
  - (3) Licensed Premises. The area within a building or structure which is licensed pursuant to ch. 7-2 of this Code, but not including parking lots, sidewalks, roadways or land which is adjacent to the building or structure and within the property boundary lines.
- (b) **Conduct Prohibited.** No person shall possess any open alcohol beverage container or consume any alcohol beverage in or upon any public property or public parking lot.
  - (c) **Conduct Prohibited Outside Licensed Premises.** No person who has purchased alcohol beverages in an open container from any

## Orderly Conduct

licensed premises shall consume said beverages outside of, but within the property boundary lines of, such premises.

### (d) **Exceptions.**

- (1) The prohibitions in subs. (b) and (c) above shall not apply to those events or activities which are otherwise permitted or licensed by the Board pursuant to ch. 10 of this Code.
- (2) The prohibition in sub. (b) above shall not apply to a school-sponsored activity when specifically permitted in writing by the school administrator.
- (3) The prohibitions in subs. (b) and (c) above shall not apply to those persons who transport unopened alcohol beverages from a point of purchase to their destination unless it is in violation of §346.93, Wis. Stats.
- (4) The prohibitions in sub. (b) above shall not apply to alcohol beverages consumed in Neosho Ball Park and Woodlawn Park and the swimming area.

### **SEC. 11-1-11 (Reserved)**

### **SEC. 11-1-12 OBEDIENCE TO OFFICERS.**

No person shall, without reasonable excuse or justification, resist or in any way interfere with any officer of the Village while such officer is doing any act in his official capacity and with lawful authority.

### **SEC. 11-1-13 LITTERING.**

- (a) **Prohibited.** No person shall deposit any mud, glass, refuse or waste, filth or other litter upon the streets, highways, alleys, parks or other property of the Village or upon any private property or into or upon any body of water or stream within the Village.
- (b) **Penalty.** Any person found guilty of violating this section shall be subject to a forfeiture, as provided in Sec. 1-1-6 of this Code, plus the cost of cleanup. Each day a violation continues shall constitute a separate violation.

### **SEC. 11-1-14 TRUANCY.**

- (a) No child shall be an "habitual truant," as defined in §118.163(1), Wis. Stats., which section is incorporated herein by reference.

## Orderly Conduct

- (b) Upon a finding that a child has violated this section, the court assigned jurisdiction under Ch. 48, Wis. Stats., may enter a disposition which includes one or more of the following dispositional alternatives:
- (1) Suspension of the child's operating privilege, as defined in §340.01(40), Wis. Stats., for not less than 30 days nor more than 90 days. The court shall immediately take possession of any suspended license and forward it to the Department of Transportation, together with a notice stating the reason and the duration of the suspension.
  - (2) An order for the child to participate in counseling, community service or supervised work program as provided under §48.34(9), Wis. Stats.
  - (3) An order for the child to remain at home, except during hours in which the child is attending religious worship or a school program, including travel time required to get to and from the school program or place of worship. The order may permit a child to leave his or her home if the child is accompanied by a parent or guardian.
  - (4) An order for the child to attend an educational program under §48.34(12), Wis. Stats.

## SEC. 11-1-15 BURNING REGULATIONS.

No combustible waste, rubbish, grass or other refuse or material of whatever nature shall be burned outdoors in the Village at any time or any place whatever, except as follows:

- (a) Any commercial or manufacturing company or individual may burn combustible waste, provided that such waste is burned in a form or kind of incinerator suitable for such operation, which incinerator or other form of burning is approved by the Fire Chief.
- (b) The operation of outdoor grills, outdoor fireplaces and related outdoor cooking equipment for outdoor cooking of food only shall not be subject to prohibition by this section.
- (c) Controlled burning of any material may be permitted for a specific occasion when a written permit, the fee for which is \$5, is obtained from the Fire Chief and the burning is done under the direction and supervision of the Fire Chief or his designated representative. However, no permit shall be required for the burning of brush by Village employees.

**SEC. 11-1-16 OPEN CISTERNS, WELLS, BASEMENTS OR OTHER DANGEROUS EXCAVATIONS PROHIBITED.**

No person shall have or permit on any premises owned or occupied by him any open cisterns, cesspools, wells, unused basements, excavations or other dangerous openings. All such places shall be filled, securely covered or fastened in such manner as to prevent injury to any person and any cover shall be of a design, size and weight that the same cannot be removed by small children.

**SEC. 11-1-17 ABANDONED OR UNATTENDED ICEBOXES, ETC., PROHIBITED.**

No person shall leave or permit to remain outside of any dwelling, building or other structure, or within any unoccupied or abandoned building, dwelling or other structure under his control in a place accessible to children, any abandoned, unattended or discarded icebox, refrigerator or other container which has an airtight door or lid, snap lock, or other locking device which may not be released from the inside, without first removing such door lid, snap lock or other locking device from such icebox, refrigerator or container unless such container is displayed for sale on the premises of the owner of his agent and is securely locked or fastened.

**SEC. 11-1-18 CURFEW.**

(a) **Curfew Established.** It is unlawful for any persons under 17 years of age to be on foot, bicycle or in any type of vehicle on any public street, avenue, highway, road, alley, park, school grounds, swimming beach, cemetery, playground, public building or any other public place in the Village between the hours of 10:00 P.M. and 6:00 A.M., unless accompanied by his or her parent or guardian, or person having lawful custody and control of his or her person, or unless there exists a reasonable necessary therefor. The fact that such child, unaccompanied by parent, guardian or other person having legal custody is found upon any such public place during the aforementioned hours shall be prima facie evidence that such child is there unlawfully and that no reasonable excuse exists therefore.

(b) **Exceptions.**

(1) This section shall not apply to a child:

A. Who is performing an errand as directed by his parent, guardian or person having lawful custody.

B. Who is on his own premises or in the areas immediately adjacent thereto.



Orderly Conduct

- C. Whose employment makes it necessary to be upon the streets, alleys or public places or in any motor vehicle during such hours.
  - D. Who is returning home from a supervised school, church or civic function.
- (2) These exceptions shall not, however, permit a child to unnecessarily loiter about the streets, alleys or public places or be in a parked motor vehicle on the public streets.
- (c) **Parental Responsibility.** It is unlawful for any parent, guardian or other person having the lawful care, custody and control of any person under 17 years of age to allow or permit such person to violate the provisions of sub. (a) and (b). The fact that prior to the present offence a parent, guardian or custodian was informed by any law enforcement officer of a separate violation of this section occurring within 30 days of the present offense shall be prima facie evidence that such parent, guardian or custodian allowed or permitted the present violation. Any parent, guardian or custodian herein who shall have made a missing person notification to the Police Department shall not be considered to have allowed or permitted any person under 17 years of age to violate this section.
- (d) **Responsibility of Places of Amusement.** It is unlawful for any person, firm or organization operating or in charge of any place of amusement, entertainment, refreshment or other place of business to permit any minor under 18 years of age to loiter, loaf or idle in such place during the hours prohibited by this section. Whenever the owner or person in charge or in control of any place of amusement, entertainment, refreshment or other place of business during the hours prohibited by this section shall find persons under 18 years of age loitering, loafing or idling in such place of business, he shall immediately order such person to leave and if such person refuses to leave said place of business, the operator shall immediately notify the Police Department and inform them of the violation.
- (e) **Detaining a Minor.** Every law enforcement officer is authorized to detain any minor violating the aforementioned provisions until such time as the parent, guardian or person having legal custody of the minor shall be immediately notified and the person so notified shall as soon as reasonably possible thereafter report to the Police Department for the purpose of taking the custody of the minor and shall sign a release for him or her. If no response is received, the Police shall take whatever action is deemed necessary in the best interest of the minor.

Orderly Conduct

- (f) **First Offense Notice.** The first time a minor, parent, guardian or person having legal custody of a minor is detained by a law enforcement officer of the Village, as provided in sub. (e), such minor, parent, guardian or person having such legal custody shall be advised, personally, if known or by registered mail, as to the provisions of this section, and further advised that any violation of this section occurring thereafter by this minor or any other minor under his or her case or custody shall result in a penalty being imposed as hereinafter provided.
- (g) **Penalty.**
  - (1) Any parent, guardian or person having legal custody of a child described in sub. (a) through (e) who has been warned in the manner provided in sub. (f) and who thereafter violates any of the provisions of this section shall be subject to a penalty as provided in sec. 1-1-6 of this Code. After a second violation within a 6-month period, if the defendant, in a prosecution under this section, proves that he or she is unable to comply with this section because of the disobedience of the child, the action shall be dismissed and the child shall be referred to the court assigned to exercise jurisdiction under Ch. 48, Wis. Stats.
  - (2) Any minor person under 18 years of age who shall violate this section shall, upon conviction thereof, forfeit not less than one dollar nor more than \$50.00, together with the cost of prosecution, court costs and applicable fees, assessments and surcharges.

**SEC. 11-1-19 DESTRUCTION OF PROPERTY PROHIBITED.**

- (a) No person shall wilfully injure or intentionally deface, destroy or unlawfully remove, take or meddle with any property of any kind or nature belonging to the Village or its departments or to any private person without the consent of the owner or proper authority.
- (b) No person shall destroy or remove any tree or shrub planted in any downtown sidewalk, tree, lawn or Village park without consent of the property Village department.
- (c) No person shall remove or destroy any flowers planted on any Village property without the consent of the proper City department.



**SEC. 11-1-20 LIBRARY REGULATIONS.**

- (a) **Return Required.** No person shall fail, on demand, to return any book, periodical, pamphlet or other article of property belonging to or in charge of the Public Library, according to the rules and regulations duly made and adopted by the Library Board.
- (b) **Unlawful Taking Prohibited.**
  - (1) No person shall take or remove from the library any of the aforesaid materials or property without first having it charged out to him, as provided by said rules and regulations.
  - (2) Whoever intentionally takes and carries away, transfers, conceals or retains possession of the aforesaid materials and property without the consent of the library staff and with intent to deprive the library permanently of the possession thereof may be penalized hereunder. The intentional concealment thereof which continues beyond the checkpoint of the library is evidence to deprive the library permanently of possession of such materials and property. The discovery thereof upon the person or among the belongings of such person or of another is evidence of intentional concealment.
  - (3) A library staff member who has probable cause for believing that a person has violated this section in his presence may detain such person in a reasonable manner for a reasonable length of time to deliver him to a police officer, or to his parent or guardian in the case of a minor. The detained person must promptly be informed of the purpose of his detention and shall be permitted to make telephone calls, but he shall not be interrogated or searched against his will before the arrival of a police officer who may conduct a lawful interrogation of the accused person. Library staff members complying with this section shall be entitled to the same defense in any action as is available to a peace officer making an arrest in the line of duty.
- (c) **Removal of Charge Card Pocket Prohibited.** No person shall remove the charge card pocket or charge card affixed to the inside cover of a library book.
- (d) **Mutilation of Library Materials Prohibited.** No person shall mutilate or damage a library book or library materials by tearing or cutting out pages, portions or excerpts, or in any other manner, but shall return the book or materials in the same condition it was received.

- (e) **Library Book Fine to be Paid.** No person shall fail to pay, on demand, any library book fine.

**SEC. 11-1-21 ACCIDENTAL SPILLS OF HAZARDOUS OR DETRIMENTAL SUBSTANCES.**

**(a) Hazardous Substance Spills.**

- (1) DNR Notification Required. Any person who possesses or controls a "hazardous substance," as defined in §144.01(4m), Wis. Stats., which has been discharged or spilled, or who causes the discharge or spilling of such hazardous substance, shall immediately notify the Wisconsin Department of Natural Resources of any such spill or discharge as required in §144.76, Wis. Stats.
  - (2) Village Notification. In addition to the notification required in par. (a) above, the owner of the person causing the discharge of a hazardous substance shall immediately notify the Fire Chief of such spill or discharge.
- (b) Detrimental Substance Spills; Notification.** Any person who possesses or controls a discharged or spilled material, or causes a discharge or spill, which, although not a "hazardous substance," may be detrimental to the general, safety and welfare of City residents shall immediately notify the Fire Chief. Such detrimental substances may include, without limitations, food products and nitrates.
- (c) Cleanup Required.** Any person responsible for the discharge or spill of any hazardous or detrimental substance shall be responsible for cleanup within a time reasonable under the circumstances. In the event such cleanup is not completed within a reasonable time, the Village shall clean up and bill the person responsible.
- (d) Penalty.** Any person responsible for a spill or discharge who does not provide the notification required under subs. (a)(1) and (b) above shall be subject to a forfeiture as provided in sec. 1-1-6 of this Code.

**SEC. 11-1-22 UNIFORM CITATION METHOD ADOPTED.**

- (a) **Creation.** Pursuant to §66.119, Wis. Stats., the Village hereby elects to use the citation method of enforcement of ordinances including those for which a statutory counterpart exists.

Orderly Conduct

citation shall be signed to indicate that the statement required under par. (7) above has been read. Such statement shall be sent or brought with the cash deposit.

(9) Such other information as the Board deems necessary.

(c) **Deposits.**

(1) Each citation issued under this section, except those to which par. (4) below applies, shall specify a cash deposit as set forth in sec. 11-1-22(d) of this Code, which consists of the appropriate forfeiture, a penalty assessment, the jail assessment, the automation fee, court costs and surcharges.

(2) Deposits shall be made in cash, money order check to the County Clerk of Courts, who shall provide a receipt therefor.

(3) The penalty assessment imposed by \$165.87, Wis. Stats., the jail assessment imposed by \$53.46, Wis. Stats., and the automation fee imposed by \$814.635, Wis. Stats., shall be added to all forfeitures hereunder, except where said forfeitures are derived from citations issued for violations of ordinances for which State law controls or for ordinances involving nonmoving traffic violations. Said assessments shall be in an amount determined after deducting the court costs.

(4) The deposit, including costs, pertaining to any minor receiving a citation under this section shall in no event exceed the maximum penalties provided in Ch. 48, Wis. Stats., plus the penalty assessment imposed by \$165.87, Wis. Stats., the jail assessment imposed by \$814.635, Wis. Stats., except that costs and penalties shall not be assessed against minors unless Wisconsin law so provides.

(d) **Deposit Schedule.** Every police officer issuing a citation for any violation of this Code shall indicate on the citation the amount of the deposit that the alleged violator may make in lieu of court appearance. The amount of the deposit shall be determined in accordance with the Village Bond Schedule and the Wisconsin Judicial Council Bond Schedule which is hereby adopted by reference.

(e) **Issuance of Citation.** Any law enforcement officer may issue citations authorized under this section.

(f) **Nonexclusivity.**

(1) Other Ordinances. Adoption of this section does not preclude the Board from adopting any other ordinance or

Neosho Pond Ordinance (Updated 12/10/03)

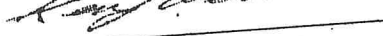
**SECTION 11-1-23 (c) (1)**

"In the interest of public safety, all vehicles operated on or in the waters of the Neosho Pond in the Village of Neosho and Township of Rubicon must be legally registered by the State of Wisconsin and properly equipped as required by law. Fines range from \$20.00 to \$400.00.

This ordinance may be suspended for organized events at the discretion of the Neosho Village Board."

Passed this 10<sup>th</sup> day of December, 2003 by the Village Board of the Village of Neosho.

Signed:

  
"slow-no-wake" means that speed of a boat moves as slowly as possible while still maintaining steerage control.

**(e) Speed Restrictions.**

(1) Slow-No-Wake Speed Established. The Chief of Police is authorized to obtain slow-no-wake buoys and install them in the Neosho Pond 100 feet from the dam and the area between the signs and the dam shall be designated as a slow-no-wake restricted area.

(f) **Penalty.** Wisconsin State boating penalties as found in §30.80, Wis. Stats., are adopted by reference.

**SEC. 11-1-24 PURCHASE AND POSSESSION OF CIGARETTES AND TOBACCO PRODUCTS PROHIBITED.**

(a) In this section:

(1) "Cigarette" means any roll of tobacco wrapped in paper or any substance other than tobacco.

(2) "Law Enforcement Officer" means any person employed by the State or any political subdivision of the State for

## Orderly Conduct

the purpose of detecting and preventing crime and enforcing laws or ordinances and who is authorized to make arrests for violations of the laws or ordinances he is employed to enforce.

- (3) "Tobacco products" means cigars; cheroots; stogies; periques; granulated, plug out, crimp cut, ready-rubbed and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts, refuse scraps, clippings, cuttings and sweepings of tobacco and other kinds and forms of tobacco prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking; but "tobacco products" does not include cigarettes, as defined above.
- (b) Except as provided in sub. (c), no person who is less than 18 years of age may do any of the following:
  - (1) Buy or attempt to buy any cigarette or tobacco product.
  - (2) Falsely represent his or her age for the purpose of receiving any cigarette or tobacco product.
  - (3) Possess any cigarette or tobacco product.
- (c) A child may purchase or possess cigarettes or tobacco products for the sole purpose of resale in the course of employment during his or her working hours if employed by a retainer licensed under §134.65(1), Wis. Stats.
- (d) A law enforcement officer shall seize any cigarette or tobacco product involved in any violation of sub. (b) committed in his or her presence.
- (e) Any person who violates the provisions of this ordinance shall be subject to a penalty as provided in sec. 11-1-30 of the Municipal Code.

**SEC. 11-1-25 TO 11-1-29 (Reserved)**

**SEC. 11-1-30 PENALTY.**

Any person who shall violate any provision of this chapter shall be subject to a penalty as provided in sec. 1-1-6 of this Code. In addition to any penalty imposed for violation of sec. 11.943.01(1) of this chapter, any person who shall cause physical damage to or destroy any public property shall be liable for the costs of replacing or repairing such damages or destroyed property. The parent of any unemancipated minor child who violates sec.

Orderly Conduct

11.943.01(1) or sec. 11-1-19 of this chapter may also be held liable for the cost of repairing such damaged or destroyed property in accordance with §895.35, Wis. Stats.

## TITLE 10

### Traffic Code

10-1-1	State Statutes Adopted
10-1-2	Official Traffic Map and Control Devices; Prohibited Signs, Signals and Markers
10-1-3	Controlled Intersections Designated
10-1-4	Safety Zones and Islands, Traffic Lanes and Loading Zones
10-1-5	Speed Limits
10-1-6	Parking Restrictions
10-1-7	Arterial
10-1-8	Advertising
10-1-9	Rollerskating, Rollerblades and Skateboards Regulated
10-1-10	Bicycles
10-1-11	Snowmobiles
10-1-12	All-Terrain Vehicles
10-1-13	Display of Power Prohibited
10-1-14	Penalty
10-1-15	Enforcement

#### SEC. 10-1-1 STATE STATUTES ADOPTED.

The statutory provisions describing and defining regulations with respect to vehicles and traffic for which the penalty is a forfeiture only, exclusive of any regulations for which the statutory penalty is a fine or a term of imprisonment or exclusively state charges, are hereby adopted and by reference made a part of this Chapter as if fully set forth herein; Chapters 23.33, 340 through 351, Wis. Stats. Any future amendments, revisions or modifications of the statutory regulations in Chapters 23.33, 340 through 351 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 the State of Wisconsin. Any person who shall, within the Village of Neosho, Wisconsin, violate any provisions of any Statute incorporated herein by reference shall be deemed guilty of an offense under this Section. Additionally, there are hereby adopted the following sections of the Wisconsin Statutes, but the prosecution of such offenses under this chapter shall be as provided in Chapters 218.20 through 218.23, 218.30 through 218.33, and 340 through 349 of the Wisconsin Statutes, and the penalty for violation thereof shall be limited to a forfeiture as hereinafter provided in this chapter.

941.01  
947.045



**SEC. 10-1-2      OFFICIAL TRAFFIC MAP AND CONTROL DEVICES; PROHIBITED SIGNS, SIGNALS AND MARKERS.**

- (a) **Duty of the Chief of Police to Erect and Install Uniform Traffic Control Devices.** Whenever traffic regulations created by this chapter, including a State traffic regulation, adopted by reference in sec. 10-1-1 of this chapter, require the erection of traffic control devices for enforcement, the Chief of Police or the Village Board, with the cooperation of the Director of Public Works, 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 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 or Village Board, will carry out the purposes of this chapter and give adequate warning to users of the streets and highways of the Village.
- (b) **Official Traffic Map.**
- (1) Official Traffic Map Established. There is hereby established for the Village of Neosho an Official Traffic Map dated \_\_\_\_\_, 1998, on which is indicated as of said date all existing stop signs; stop signs, except right turns; arterial intersections; yield signs; controlled intersections; prohibited U-turns; handicapped parking areas; and school zones and school crossings. All such restrictions and limitations set forth on said Official Traffic Map are hereby adopted by reference.
  - (2) Additions to Map. The Board may, from time to time, make additions to or deletions from the Official Traffic Map and the Chief of Police shall keep such Official Traffic Map current. Every addition to said Official Traffic Map made after \_\_\_\_\_, 1998, shall indicate the number of the authorizing resolution and the date the appropriate official traffic control device was erected, and every deletion shall indicate the number of the authorizing resolution.
  - (3) Map to Be Maintained. The Official Traffic Map shall be maintained and displayed in the office of the Police Department. The Chief of Police shall make appropriate authorized changes on said Map within 3 working days after the appropriate official traffic control device is erected or removed, as the case may be.
  - (4) Violations Prohibited. When official traffic control devices, giving notice of the restrictions, prohibitions and limitations shown on the Official Traffic Map, are



erected and maintained in accordance with the provisions of this section, a violation of the restriction, prohibition or limitation shown on the Official Traffic Map shall be a violation of the provisions of this chapter.

- (c) **Prohibited Signs and Markers in Highways.** 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 Village any sign, signal, marker, mark or monument unless permission is first obtained from the Chief of Police or Village Board or the State Highway Commission. Any sign, signal, marker, mark or monument placed or maintained in violation of this subsection shall be subject to removal, as provided in sub. (d) below.
- (d) **Removal of Unofficial Signs, Signals, Markers and Traffic Control Devices.** The Chief of Police or Village Board may direct the Director of Public Works to remove 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 Director of Public Works to the 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.

**SEC. 10-1-3      CONTROLLED INTERSECTIONS DESIGNATED.**

- (a) **Designation of Location of Stop Signs and Yield Signs.** In the interest of public safety, the Board, by resolution, has designated the location of stop and yield signs within the Village and has ordered the installation of such signs. In addition, the location of such signs is designated on the Official Traffic Map of the Village pursuant to sec. 10-1-2 of this chapter.
- (b) **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, shall obey the direction of such official traffic control device as required by the Wisconsin Statutes incorporated by reference in sec. 10-1-1 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.

(c) **Heavy Truck Route.**

(1) Definition. For purposes of this Section, heavy traffic shall be defined as:

- a. All vehicles not operating completely on pneumatic tires; and
- b. All vehicles or combination of vehicles, other than motor buses, designed or used for transporting property of any nature and having a gross weight of more than 15,000 pounds.

(2) Prohibited Routes. Heavy traffic is prohibited from using any Village street or highway not designated as a heavy traffic route. This Section shall not act to prohibit heavy traffic from using a Village street or highway for the purpose of obtaining orders for supplies or moving or delivering supplies or commodities to or from any place of business or residence, provided that the shortest possible route is used to and from the heavy truck route. Furthermore, this Section will not act to prohibit heavy traffic from using any Village streets designated as highways. Vehicles owned and operated by a public utility will be exempt from the provisions of this Section.

(3) Administration. The Village Board in cooperation with the Police Department shall administer this Section. Administration shall include:

a. Posting of signs. Appropriate signs shall be posted giving notice of this Section and of the heavy traffic routes established herein. Posts may also be used to designate heavy traffic routes.

b. Maps. Heavy traffic routes shall be shown on the Official Traffic Map.

c. Construction Equipment.

- 1. The Village Clerk/Treasurer or Village President may grant temporary permits to allow heavy construction equipment to use Village streets or highways not designated as heavy traffic routes. These permits may be granted only when use of a nondesignated route is necessary for the equipment to reach a construction site. No permit may be issued unless the person or corporation owning the equipment agrees to reimburse and hold the Village harmless for any damage done to the Village street by the equipment and/or any personal injury or property injury or property

damage caused in part or in whole by the street damage.

2. Village owned or operated equipment and commercial garbage haulers collecting refuse are specifically excluded from the provisions of this Section.
- d. Liability. Any operator, corporation, owner or agent whose heavy traffic vehicle damages any Village streets or highways in violating this Section shall be liable and required to pay the Village the cost of repair or replacement of the damaged street or highway.
- e. Special and Seasonal Weight Limitations. The Director of Public Works shall have the authority to impose special or seasonal weight limits on any highway, bridge or culvert maintained by the Village to prevent injury to the roadway or for the safety of the users of such bridge or culvert and shall be responsible for erecting Uniform Traffic Control Devices giving notice thereof in accordance with the proving of sec. 10-1-2.
- f. Heavy Traffic Routes Designated. All streets and alleys within the Village are designated Class "B" highways subject to the weight limitations of §346.16, Wis. Stats., except the following highways or parts thereof within the jurisdiction of the village are hereby designated heavy traffic routes and are excepted from the Class "B" weight limitations:
  1. Highway 67 north and south.
  2. Highway NN east and west.

State Law Reference: §349.17, Wis. Stats.

**SEC. 10-1-4      SAFETY ZONES AND ISLANDS, TRAFFIC LANES AND LOADING ZONES.**

The Chief of Police is hereby authorized to establish safety zones and islands, loading zones and traffic lanes of such kind and character and at such places as deemed necessary for the protection of persons using the public streets. The Director of Public Works, upon the recommendation of the Chief of Police, is authorized and empowered to erect and maintain such pavement markings, structures and/or signage as may be deemed necessary to mark the areas designated pursuant to this section consistent with the provisions of this chapter.

**SEC. 10-1-5      SPEED LIMITS.**

The speed limits imposed by sec. 346.57 through 346.59, Wis. Stats., shall apply except that where said sections fix a maximum speed within the village limits greater than 25 miles per hour, the maximum speed shall be 25 miles per hour, unless otherwise indicated by official traffic signs.

- (a) **Speed Limits Increased.** Speed limits are increased on the following streets or portions thereof:

- (1) 35 miles per hour on Highway 67 south from River View.
- (2) 35 miles per hour from Village limits on Highway 67 (South Schuyler Street) south to W. Lehman Street.
- (3) 35 miles per hour on East Lehman Street from Lake Street to east village limits.

- (b) **Speed Limits Decreased.** Speed limits are decreased on the following streets or portions thereof:

15 miles per hour in all Village parks and school property,

**SEC. 10-1-6      PARKING RESTRICTIONS.**

- (a) **Stopping, Standing and Parking Regulated.** Pursuant to §349.13, Wis. Stats., the authority to regulate the stopping, standing and parking of vehicles is delegated to the Chief of Police, subject to control of the Board. The Chief, with the cooperation of the Village Board, is hereby authorized to designate and sign streets, or portions thereof, where the stopping, standing or parking of vehicles is prohibited at all times or during certain designated hours.

- (b) **Limited Time Parking.** Unless specifically otherwise provided, except on Sundays and legal holidays, no person shall park a vehicle for any longer than the period hereinafter specified upon the following streets or portions thereof:

- (1) 10 minutes in front of the U.S. Post Office.

- (c) **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 upon any of the following highways or parts of highways:

- (1) On Highway NN to alley on west side in front of the church on Bridge.

- (2) No person shall park any vehicle on the east side of South Schuyler Street from the south side of the bridge to the south Village limits. As used in this section, a vehicle shall be deemed parked, within the meaning of this section, when it is stopped for any other purpose than that of taking on or discharging passengers or cargo and then only for such time as it is reasonably required for such purpose. A vehicle, which is stopped on any street for any other purpose, shall be considered parked regardless of whether or not the seats are occupied by one (1) or more persons. No unattached trailer, camper, boat or similar type hauled device, or other recreational vehicle, shall be left parked at any time on South Schuyler Street as set forth above.
- (e) **Parallel Parking.** No person shall park a vehicle, except by parallel parking and within the parking spaces designated.
- (f) **Night Parking Regulations.** Parking is prohibited between the hours of 1:00 A.M. and 6:00 A.M., from December 1 to April 1 on all streets in the Village for a period of time longer than 30 minutes.  
*2:30-5:30 am*  
*passed 3-2001. phh*
- (g) **Parking in Parking Lots Regulated.**
- (1) **24 Hour Parking.** No person shall, without a parking lot permit, park any motor vehicle in any Village parking lot for more than 24 hours. No person shall park any motor vehicle on any such parking lot by backing said motor vehicle into a parking stall.
- (2) **Parking Lot Permit.** Village parking lot parking permits may be obtained from the Police Chief or Village Clerk/Treasurer for a winter parking permit fee of \$25.00.
- (h) **Parking Limited to Certain Vehicles.**
- (1) **Parking in Municipal Building Parking Lot.**
- No person shall park any vehicle in the municipal building parking lot, except as follows:
- (a) Parking on the north side of the municipal building parking lot shall be for fire department purposes only.
- (b) Parking on the south side and the west side of the municipal building parking lot shall be for visitors to the Village Hall for municipal business purposes only and for individuals involved with organizations using the Village Hall facility.
- (i) **Parking in Alleys Regulated.** All parking in alleys is prohibited, except in alleys in the business district for the purpose of loading or unloading freight.

- (j) **Parking in Driveways Prohibited.** 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 upon which such driveway is located, whether or not such driveway is posted to prohibit parking.
- (k) **Parking With Engine Running.** No person shall park any motor vehicle for more than 30 minutes upon a public street, alley or parking lot, or upon any private property zoned for residential, business or commercial purposes in the Village if the vehicle engine is left running or if the engine to any equipment on the vehicle is left running.
- (l) **Street Maintenance and Snow Removal.** Whenever it is necessary to repair a Village street or any part thereof, or to remove snow, the Village President or designee shall post such street or parts thereof with appropriate signs prohibiting parking. Such signs shall be erected at least 2 hours prior to the time that street maintenance work or snow removal is to be commenced. No person shall park a motor vehicle in violation of such signs.
- (m) **Parking During Snow Emergencies.**
  - (1) **Emergency Declarations.** In times of emergency due to 4 inches or more snowfall, the Village President or, in his absence, the Council President shall declare a snow emergency. Such declaration shall be made by causing the announcement thereof to be made by one area radio station. Such snow emergencies shall be in effect until declared ended by the Chief of Police or the Village President.
  - (2) **Parking Regulations.** During a declared snow emergency, it shall be unlawful for any person to park, or suffer to be parked, any vehicle upon any street in the Village.
  - (3) **Towing of Vehicles.** Upon the issuance of a parking citation against the registered owner of any vehicle found parked in violation of this subsection, the Police Chief may direct the towing of such vehicle to a temporary site designated by the Chief.
  - (4) **Penalty.** In addition to the penalty provided in sec. 10-1-14 of this chapter, any person violating this section shall be required to pay the towing charges for any vehicle towed as a condition for the release of such vehicle.

**SEC. 10-1-7      ARTERIAL.**

The following street in the Village is designated an artery for thru traffic:

- (a) Schuyler Street.



**SEC. 10-1-8      ADVERTISING.**

No person shall operate or park in any street any vehicle for the primary purpose of advertising.

**SEC. 10-1-9      ROLLERSKATING,      ROLLERBLADES      AND      SKATEBOARDS  
REGULATED.**

- (a) No person shall rollerskate, rollerblade or operate a skateboard on the sidewalk located in the Village of Neosho or on any street in the Village of Neosho.
- (b) No person shall rollerblade on any State Highway in the Village of Neosho. §§346.94(17) and 349.235 Wis. Stats.

**SEC. 10-1-10      BICYCLES.**

- (a) **Registration Required.** It shall be unlawful for any person to ride or operate a bicycle upon any street, alley or roadway within the Village of Neosho unless said bicycle shall first have been properly registered as hereinafter provided.
- (b) **Registration Application.** Every owner or operator of any bicycle within the Village of Neosho shall on or before the 1st day of May register with the Police Department or duly appointed Village official or employee a complete description of the bicycle upon a form provided for that purpose, which filing shall constitute a registration of such bicycle. Such registration shall be numbered and kept on file by the Village Clerk, Village of Neosho, in his office as a public record. Registration shall be required on all bicycles within the Village every other year.
- (c) **Fee.** The registration fee for each bicycle shall be \$1.00 for each two-year registration.
- (d) **Registration Plates.** The Village Clerk or any duly appointed Village official shall furnish to such registrant an identification tag or license plate serially number to correspond with the registration number. Such license plate shall be affixed to the bicycle and remain so affixed unless removed by the Village Police for cause or for replacement with another plate upon re-registration.
- (e) **Inspection of Bicycle.** The Dodge County Sheriff's Department or the duly appointed police officer shall inspect such bicycle at the date presented for registration and shall have the authority and the power to refuse any bicycle found to be in unsafe mechanical condition.

- (f) **Cancellation of Registration.** The duly appointed Village police shall have the authority to cancel the registration of and remove said bicycle operated on any street in the Village in an unsafe manner, or in violation of any state law or local ordinance and such registration cancellation shall be in addition to other penalties provided.
- (g) **Change of Ownership.** Within 30 days after any bicycle registration hereunder shall have changed ownership, such information shall be reported to the Police Department by the person in whose name the bicycle has been registered.
- (h) **Rules of Bicycle Operation.** In addition to complying with the bicycle regulations imposed in Section 346.77 to 346.81 of the Wisconsin Statutes and this code, the operator of a bicycle shall comply with the following regulations:
  - (1) **Riding on Sidewalks.** No person shall ride a bicycle on any sidewalk, except that a bicycle the diameter of the wheels of which does not exceed 9 inches may be operated on residential sidewalks, providing the operator at all times gives way to and does not interfere with pedestrians. Residential area sidewalks are all those sidewalks except those on Main Street.
  - (2) **Riding on Roadway.** The operator of a bicycle upon a street or roadway shall ride as near as practicable within 5 feet of the right hand curb or edge of the roadway except when passing a standing or other vehicle or making a left hand turn at an intersection. Bicycles shall not be ridden side-by-side nor in tandem.
  - (3) **Trick Riding.** No operator of a bicycle shall do trick riding such as riding the same without having the hands on the handle bars.
  - (4) **Carrying Passengers.** No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.
  - (5) **Parking.** No operator of a bicycle shall park the bicycle on any sidewalks at any time, and it shall be the duty of operators to use the parking stands for bicycles when parking them in the downtown areas.
  - (6) **Brakes.** It shall be unlawful to operate a bicycle upon any street, alley, or roadway unless the same shall be equipped with brakes in good condition, and unless the same shall have a bell, horn or similar devise for giving warning.
  - (7) **Penalties.** Anyone riding a bicycle in violation of any of the above rules for operation shall be penalized by said bicycle being confiscated by the Village Clerk or any duly appointed Village official for a period of not less than 5 nor more than 30 days for each offense. Said



(4) **Carrying Passengers.** No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

(5) **Parking.** No operator of a bicycle shall park the bicycle on any sidewalks at any time, and it shall be the duty of operators to use the parking stands for bicycles when parking them in the downtown areas.

(6) **Brakes.** It shall be unlawful to operate a bicycle upon any street, alley, or roadway unless the same shall be equipped with brakes in good condition, and unless the same shall have a bell, horn or similar device for giving warning.

10-1  
(7) **Penalties.** Anyone riding a bicycle in violation of any of the above rules for operation shall be penalized by said bicycle being confiscated by the Village Clerk or any duly appointed Village official for a period of not less than 5 nor more than 30 days for each offense. Said bicycle shall be held at the Village Hall during said term and shall be released to the properly registered owner by said owner showing compliance with all sections of this chapter.

#### **SEC. 10-1-11 SNOWMOBILES.**

(a) **State Snowmobile Laws Adopted.** Except as otherwise specifically provided in this chapter, the statutory provisions describing and defining regulations with respect to snowmobiles in the 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, as follows:

- 2-2
- (1) 350.01 Definitions
  - (2) 350.02 Operation of Snowmobiles on or in the Vicinity of a Highway
  - (3) 350.03 Right of Way
  - (4) 350.04 Snowmobile Races, Derbies and Routes
  - (5) 350.045 Public Utility Exemption
  - (6) 350.047 Local Ordinance to be Filed
  - (7) 350.05 Operation by Youthful Operators Restricted
  - (8) 350.055 Safety Certification Program Established
  - (9) 350.06 Firearms and Bows
  - (10) 350.07 Driving Animals
  - (11) 350.08 Owner Permitting Operation
  - (12) 350.09 Head Lamps, Tail Lamps and Brakes
  - (13) 350.10 Miscellaneous Provisions for Snowmobile Operation
  - (14) 350.101 Operating a Snowmobile While Intoxicated to Prohibited
  - 350.107
  - (15) 350.12 Registration of Snowmobiles
  - (16) 350.13 Uniform Trail Signs and Standards
  - (17) 350.15 Accident and Accident Reports
  - (18) 350.17 Enforcement
  - (19) 350.18 Local Ordinances
  - (20) 350.19 Liability of Landowners

(b) **Applicability of Rules of the Road to Snowmobiles.** The operator of a snowmobile upon a roadway shall, in addition to the provisions of Ch. 350, Wis. Stats., be subject to §346.04, 346.06, 346.11, 346.14(1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50(1)(b), 346.51, 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92(1) and 346.94(1), (6), (6m) and (9), Wis. Stats.

**Section 10-1-11 (C) Snowmobile operation in the Village, Restrictions and Exceptions**

(1) General. It shall be unlawful to operate any snowmobile on the Village streets, alleys, parks, parking lots, or on any public lands or private lands or parking lots held open to the public.

(2) Exceptions. Snowmobiles may be operated at a speed not to exceed 10 MPH on marked snowmobile routes designated by the Village Board on a map on file in the Village Clerk's office, as follows:

a. \_\_\_\_\_ SEE MAP \_\_\_\_\_ (N-4)

(D) **Use of Trails** Village streets are to be used only for ingress to and egress from the Village, it being the intention to provide said routes only to get through the Village. Any use other than for ingress or egress is prohibited.

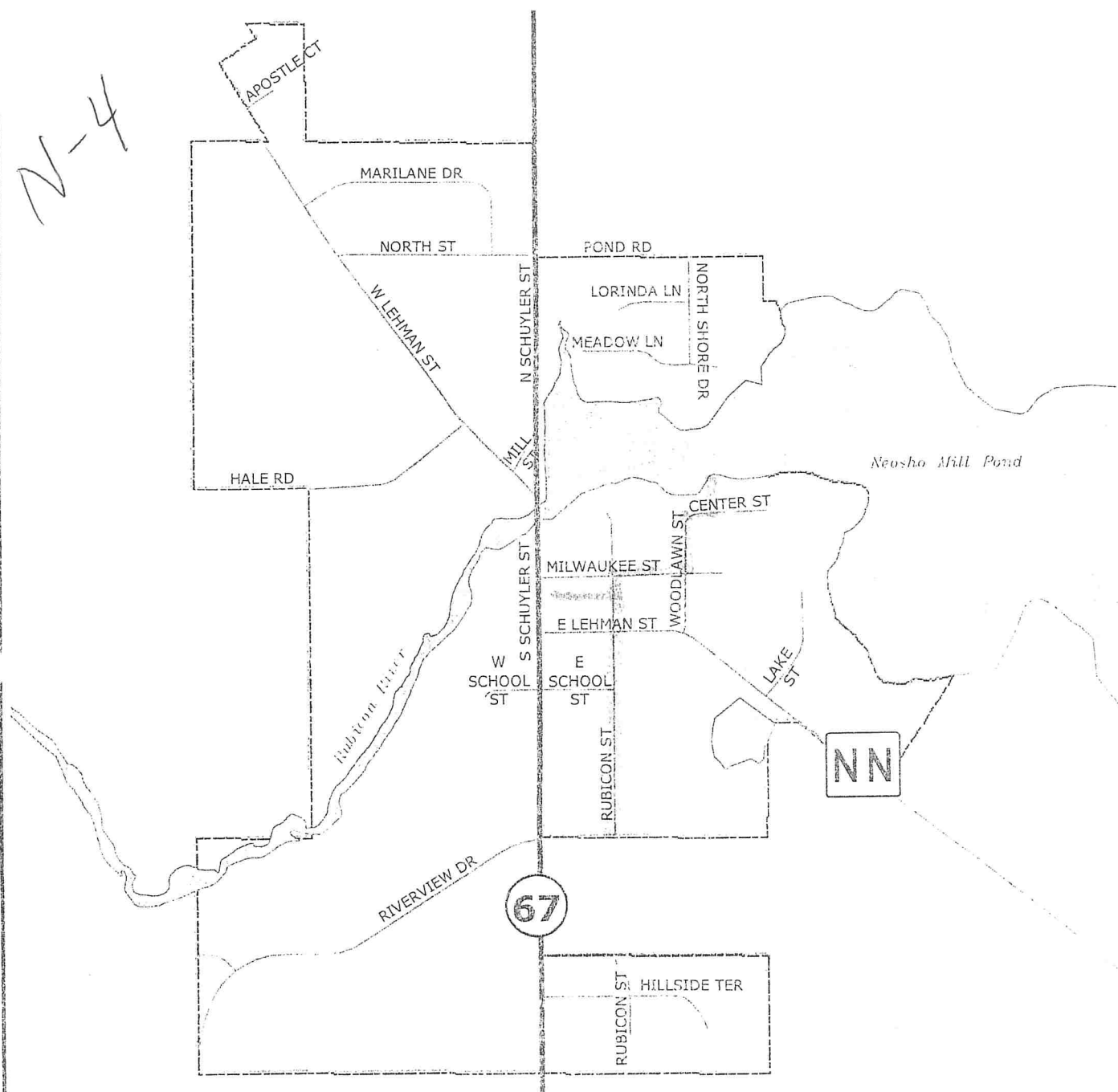
(1) Exception. Registered, factory equipped vehicles using marked snowmobile routes to access village businesses, or ingress or egress the Village. Said route marking to be maintained jointly by the Village of Neosho and local snowmobile club.

(E) Remove usage restriction and reserve section for future use.

**Section 10-1-12 All Terrain Vehicles**

Registered, factory equipped vehicles may use designated and marked ATV routes along Village streets to ingress or egress the Village. ATV's are to be operated at speeds not to exceed 10MPH on routes marked and designated by the Village Board for use only when ATV routes are open for public use. Route to be maintained by the Village of Neosho. A map of the route to be on file in the Village Clerk's office.

# VILLAGE OF NEOSHO SNOWMOBILE AND ATV ROUTE

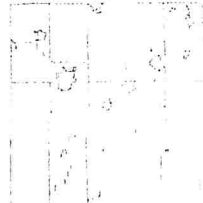


**RUBICON STREET NORTH FROM THE DESIGNATED ROUTE TO  
MILWAUKEE STREET**

**MILWAUKEE STREET EAST TO WOODLAWN STREET  
WOODLAWN STREET NORTH TO CENTER STREET EAST TO  
ACCESS NEOSHO POND AND ROUTES EXITING THE VILLAGE**

**ALLEY HALFWAY BETWEEN EAST LEHMAN STREET AND  
MILWAUKEE STREET WEST CAN BY USED TO ACCESS  
BUSINESS DISTRICT**

Dodge County Wisconsin



Village of Neosho, Town of Rubicon

same shall have a bell, horn or similar devise for giving warning.

- 0-1
- (7) **Penalties.** Anyone riding a bicycle in violation of any of the above rules for operation shall be penalized by said bicycle being confiscated by the Village Clerk or any duly appointed Village official for a period of not less than 5 nor more than 30 days for each offense. Said bicycle shall be held at the Village Hall during said term and shall be released to the properly registered owner by said owner showing compliance with all sections of this chapter.

#### **SEC. 10-1-11 SNOWMOBILES.**

- (a) **State Snowmobile Laws Adopted.** Except as otherwise specifically provided in this chapter, the statutory provisions describing and defining regulations with respect to snowmobiles in the 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, as follows:

- (1) 350.01 Definitions
- (2) 350.02 Operation of Snowmobiles on or in the Vicinity of a Highway
- (3) 350.03 Right of Way
- (4) 350.04 Snowmobile Races, Derbies and Routes
- (5) 350.045 Public Utility Exemption
- (6) 350.047 Local Ordinance to be Filed
- (7) 350.05 Operation by Youthful Operators Restricted
- (8) 350.055 Safety Certification Program Established
- (9) 350.06 Firearms and Bows
- (10) 350.07 Driving Animals
- (11) 350.08 Owner Permitting Operation
- (12) 350.09 Head Lamps, Tail Lamps and Brakes
- (13) 350.10 Miscellaneous Provisions for Snowmobile Operation
- (14) 350.101 Operating a Snowmobile While Intoxicated to Prohibited
- 350.107
- (15) 350.12 Registration of Snowmobiles
- (16) 350.13 Uniform Trail Signs and Standards
- (17) 350.15 Accident and Accident Reports
- (18) 350.17 Enforcement
- (19) 350.18 Local Ordinances
- (20) 350.19 Liability of Landowners

0-2  
(b) **Applicability of Rules of the Road to Snowmobiles.** The operator of a snowmobile upon a roadway shall, in addition to the provisions of Ch. 350, Wis. Stats., be subject to §346.04, 346.06, 346.11, 346.14(1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50(1)(b), 346.51, 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92(1) and 346.94(1), (6), (6m) and (9), Wis. Stats.

(c) **Snowmobile Operation in Village Restricted.**

0-3  
(1) General. It shall be unlawful to operate any snowmobile on private property or on the Village streets, alleys, parks, parking lots, or on any public lands or private lands or parking lots held open to the public.

(2) Exceptions. Snowmobiles may be operated on designated and marked snowmobile trails designated by the Village Board on a map on file in the Village Clerk's office, as follows:

a. \_\_\_\_\_

(d) **Use of Trails**. Routes or trails are to be used only for ingress to and egress from the Village, it being the intention to provide said trails or routes only to get through the Village. Any use other than for ingress or egress is prohibited.

(e) **Hours of Operation Restricted**. No person shall operate a snowmobile anywhere within the Village between the hours of 11:00 P.M. and 7:00 A.M.

**SEC. 10-1-12 ALL-TERRAIN VEHICLES.**

The operation of all-terrain vehicles is prohibited in the Village.

**SEC. 10-1-13 DISPLAY OF POWER PROHIBITED.**

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

**SEC. 10-1-14 PENALTY.**

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.

(a) **State Forfeiture Statutes**. Forfeitures for violation of §§23.33, 340.01 to 350, Wis. Stats., 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.

OH  
(b) **State Fine Statutes.** 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.



(c) **Local Regulations.** The penalty for violations of secs. 10-1-3 through 10-1-6 of this chapter shall be as provided in sec. 1-1-6 of this Code.

05  
(d) **Penalty For Overtime Parking Violations.** Notwithstanding any other penalty provided in this chapter, the forfeiture for overtime parking violations other than those for violations contained in the State Statutes, as adopted by reference in section 10-1-1 of this chapter, shall be as hereinafter provided in addition to any costs associated with the prosecution thereof which are required or authorized by State Statutes or administrative regulation, as follows:

(1) \$10 if paid within 5 days of the issuance of the violation citation.

(2) \$20 if paid after 5 days but within 10 days.

(3) \$30 if paid after 10 days.

#### **SEC. 10-1-15 ENFORCEMENT.**

(a) **Enforcement Procedure.** This chapter shall be enforced in accordance with the provisions of §§345.20 to 345.53, ch. 229 and §66.12, Wis. Stats.

(b) **Duty of Police to Enforce.** Village police officers shall enforce all the provisions of this chapter.

(c) **Uniform Citation.** The uniform citation promulgated under §345.11, Wis. Stats., shall be used for all moving and nonmoving traffic violations, except parking violations.

bicycle shall be held at the Village Hall during said term and shall be released to the properly registered owner by said owner showing compliance with all sections of this chapter.

**SEC. 10-1-11    SNOWMOBILES.**

- (a) **State Snowmobile Laws Adopted.** Except as otherwise specifically provided in this chapter, the statutory provisions describing and defining regulations with respect to snowmobiles in the 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, as follows:

- (1) 350.01      Definitions
- (2) 350.02      Operation of Snowmobiles on or in the Vicinity  
                    of a Highway
- (3) 350.03      Right of Way
- (4) 350.04      Snowmobile Races, Derbies and Routes
- (5) 350.045     Public Utility Exemption
- (6) 350.047     Local Ordinance to be Filed
- (7) 350.05      Operation by Youthful Operators Restricted
- (8) 350.055     Safety Certification Program Established
- (9) 350.06      Firearms and Bows
- (10) 350.07     Driving Animals
- (11) 350.08     Owner Permitting Operation
- (12) 350.09     Head Lamps, Tail Lamps and Brakes
- (13) 350.10     Miscellaneous Provisions for Snowmobile  
                    Operation
- (14) 350.101    Operating a Snowmobile While Intoxicated  
                    to  
                    350.107
- (15) 350.12     Registration of Snowmobiles
- (16) 350.13     Uniform Trail Signs and Standards
- (17) 350.15     Accident and Accident Reports
- (18) 350.17     Enforcement
- (19) 350.18     Local Ordinances
- (20) 350.19     Liability of Landowners

- (b) **Applicability of Rules of the Road to Snowmobiles.** The operator of a snowmobile upon a roadway shall, in addition to the provisions of Ch. 350, Wis. Stats., be subject to §346.04, 346.06, 346.11, 346.14(1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50(1)(b), 346.51, 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92(1) and 346.94(1), (6), (6m) and (9), Wis. Stats.

(c) **Snowmobile Operation in Village Restricted.**

(1) General. It shall be unlawful to operate any snowmobile on private property or on the Village streets, alleys, parks, parking lots, or on any public lands or private lands or parking lots held open to the public.

(2) Exceptions. Snowmobiles may be operated on designated and marked snowmobile trails designated by the Village Board on a map on file in the Village Clerk's office, as follows:

a. \_\_\_\_\_

(d) **Use of Trails**. Routes or trails are to be used only for ingress to and egress from the Village, it being the intention to provide said trails or routes only to get through the Village. Any use other than for ingress or egress is prohibited.

(e) **Hours of Operation Restricted**. No person shall operate a snowmobile anywhere within the Village between the hours of 11:00 P.M. and 7:00 A.M.

**SEC. 10-1-12 ALL-TERRAIN VEHICLES.**

The operation of all-terrain vehicles is prohibited in the Village.

**SEC. 10-1-13 DISPLAY OF POWER PROHIBITED.**

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

**SEC. 10-1-14 PENALTY.**

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.

(a) **State Forfeiture Statutes**. Forfeitures for violation of §§23.33, 340.01 to 350, Wis. Stats., 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.

(b) **State Fine Statutes**. 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.

- (c) **Local Regulations.** The penalty for violations of secs. 10-1-3 through 10-1-6 of this chapter shall be as provided in sec. 1-1-6 of this Code.
- (d) **Penalty For Overtime Parking Violations.** Notwithstanding any other penalty provided in this chapter, the forfeiture for overtime parking violations other than those for violations contained in the State Statutes, as adopted by reference in section 10-1-1 of this chapter, shall be as hereinafter provided in addition to any costs associated with the prosecution thereof which are required or authorized by State Statutes or administrative regulation, as follows:
  - (1) \$10 if paid within 5 days of the issuance of the violation citation.
  - (2) \$20 if paid after 5 days but within 10 days.
  - (3) \$30 if paid after 10 days.

**SEC. 10-1-15 ENFORCEMENT.**

- (a) **Enforcement Procedure.** This chapter shall be enforced in accordance with the provisions of §§345.20 to 345.53, ch. 229 and §66.12, Wis. Stats.
- (b) **Duty of Police to Enforce.** Village police officers shall enforce all the provisions of this chapter.
- (c) **Uniform Citation.** The uniform citation promulgated under §345.11, Wis. Stats., shall be used for all moving and nonmoving traffic violations, except parking violations.