

## CHAPTER 13: TRAFFIC AND ROADS

### 13.01. Title/Purpose.

This chapter is entitled "Traffic and Roads." The purpose of Chapter 13 is to provide for the regulations relating to Town roads and traffic matters.

### 13.02. State Laws Adopted.

Except as otherwise specifically provided in this chapter, the statutory provisions of Wis. Stat. chs. 340 to 348, inclusive, and Wis. Stat. chs. 350 and 941, describing and defining regulations with respect to vehicles, traffic, and snowmobiles for which the penalty is a forfeiture only, including penalties to be imposed and procedure for prosecution, are hereby adopted and incorporated by reference by the Town and made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any regulation incorporated herein by reference is required or prohibited by this chapter. Any future amendments, modifications, revisions, additions, or deletions of the above-noted statutory chapters shall be incorporated herein and made a part of this chapter in order to secure uniform state regulation of traffic on the public highways, roads, streets, and alleys of the State of Wisconsin.

### 13.03. Obstruction of Ditches and Culverts.

A. It shall be unlawful for any person to fill or obstruct any ditch or culvert alongside of any Town or public road, or underneath any such road, with any dirt or debris whatsoever. Provided, further, it shall be unlawful for any person to cultivate, plow, or remove soil from his or her land in such manner as to obstruct or fill any ditch along any Town road or public highway.

B. No person shall cause, allow, or permit any person to obstruct or excavate beyond the lot line of that person's land or within any public highway, road, street, or alley in the Town without a permit issued by the Town Board or its designee. The persons applying for the permit shall comply fully with Wis. Stat. §§ 66.0425 and 86.07 and this chapter. No permit shall be issued or reissued by the Town Board unless the person agrees to and fully complies with Wis. Stat. §§ 66.0425 and 86.07 and this chapter. The Town Board or its designee shall inspect the premises prior to issuance or reissuance of the permit. The Town may designate a proper authority as the highway authority to establish any rules and regulations regarding the conditions for the permit and compliance with the permit.

### 13.04. Fallen Trees.

A. No person shall cause, allow, or permit any person to fail to immediately remove fallen trees from any public highway, road, street, or alley in the Town where these trees originated from property owned or leased by that person.

B. No person shall cause, allow, or permit any person to plant any tree or cut any tree on any public highway, road, street, or alley in the Town without a permit from the Town Board. No permit shall be issued or reissued by the Town Board to plant any tree if the planting location of the tree will substantially impair, now or in the future, the public safety of persons in the Town. No permit will be issued or reissued by the Town Board to cut any tree if the cutting and removal of the tree, with the safety precautions to be taken, as described by the applicant or permittee, will still substantially impair, now or in the future, the public safety of persons in the Town, or if the cutting or removal of the tree will substantially destroy the aesthetic beauty of the Town.

C. No person shall cause, allow, or permit any person to throw, deposit or discharge any weeds, sod, brush, manure, or other waste or rubbish on any public highway, road, street, or alley in the Town. No person shall cause, allow, or permit any persons to draw, paint, print, or paste on any culvert, bridge, or guard rail on any public highway, roadway, street, or alley in the Town.

#### **13.05. Damage to Town Property.**

No person shall cause, permit, or allow any person in the Town to intentionally damage any physical property owned or leased by the Town. This damage may include, but is not limited to, the erection, poster, painting, or maintaining of signs, posters, pictures, or drawings on any curbs, bridges, equipment, fixtures, trees, windows, sidewalks, public highways, roads, streets, alleys, culverts, fences, walls, posts, lamps, poles, or any buildings or materials of any type in the Town owned or leased by the Town.

#### **13.06. Throwing of Projectiles.**

No person shall cause, allow, or permit the intentional discharge, throwing, or shooting of any object, structure, stone, rock, snowball, missile, projectile, or other material, by hand or other means, at or toward any other person, or at or toward any public highway, road, alley, street, sidewalk, public building, public park, public place, or public premises in the Town.

#### **13.07. Road and Bridge Standards.**

Town roads shall be designed and constructed to meet the minimum road and bridge standards established in Wis. Stat. §§ 82.50 and 82.51.

#### **13.08. Change of Street Names.**

The Town Board may name or change the name of any road in the Town, under Wis. Stat. § 82.03(7). No road name may be used on more than one road within the jurisdiction of the Town.

### **13.09. Snow or Weather Emergency.**

A. The Town Board, by this chapter, declares that the Town shall have the responsibility for snow and ice removal and, under severe weather conditions, the right to declare a snow or ice emergency. The Town Chairperson shall make the determination of a snow or ice emergency and declare all roads closed, and report said declaration directly to the Walworth County Sheriff's Department. At that time period until the snow or ice emergency declaration is removed by the Town Chairperson, no person in the Town shall cause, allow, or permit any person to park any motor vehicle on any public highway, road, street, or alley in the Town so as to cause obstruction of plowing, block traffic, or inhibit traffic flow for emergency purposes in the Town.

B. The Town Board, by this chapter, shall prepare a written policy regarding road maintenance for severe weather conditions.

### **13.10. Maintenance Responsibility on Roads Involving Other Municipalities.**

The Town Board may agree to share maintenance responsibilities with other municipalities when a road or roads are located within parts of both the Town and another municipality. The division of maintenance responsibility with respect to said road or roads shall be resolved by joint resolution of the respective municipalities.

### **13.11. Road Maintenance Policy - Emergency Weather Conditions**

A. The Town has approximately 40 miles of roads within its boundaries over which the Town is responsible for the movement of vehicular traffic during the following emergency weather conditions: snow storms and ice storms. The following constitutes Town policy as authorized by this chapter for the operation of Town road maintenance in emergency and severe weather conditions.

B. The Town, by the provisions of the Wisconsin Statutes, has three weeks within which to remove natural snow and ice accumulation. The Town's goal is to maintain Town roads in as suitable driving condition as weather, equipment, and manpower allows. The Town realizes that planning for snow and ice operations as it affects Town road travel is difficult due to the natural conditions of winter storms and the uniqueness of each storm experienced in the Town's climate. The Town operations attempt to be flexible enough to combat the uniqueness of each storm. The amount of snow, wind conditions, temperature, and visibility all are factors that affect snow removal.

C. The Town Board and the officer in charge of maintenance of Town roads (hereinafter referred to as the "Public Works Superintendent") are responsible for the physical operations of snow and ice removal with access to a crew of up to four men and vehicles for such road work. Regular, nonemergency snowplowing is done by a two-man, two-vehicle crew.

D. The Town Chairperson has the responsibility to close Town roads to vehicular traffic by contacting the Walworth County Sheriff's Department. Once the Town Chairperson closes Town roads, the Town vehicles and plows will cease operations.

E. The Town will not plow private roads but, in severe ice conditions, upon request, the Town will apply a sand application to private roads.

F. The Town will not install snow fences alongside Town roads.

G. Because of the cost and lack of approved storage buildings, the Town does not apply straight rock salt to Town roads. The Town uses a combination sand and salt mix. In severe emergency ice conditions, the Town would use pure rock salt for limited application.

H. Town snow and ice removal will normally be done during daylight hours. Emphasis will be on a weekday basis, when vehicular travel is more extensive.

I. Snowplowing operations are conditioned upon the availability of fuel, working equipment, and qualified vehicle operators.

J. Complaints about road clearing of ice and snow should be made directly to the Public Works Superintendent or any member of the Town Board.

K. Town vehicle operators are instructed to be cautious near mailboxes but the Town will not replace or repair a mailbox installation if damaged by a plow during a snow or ice storm.

L. Snow removal routes will vary with the number of vehicles in operation. Route coordination shall be the responsibility of the Public Works Superintendent.

M. All Town vehicle operators shall carry a current commercial driver's license at all times during vehicle operation.

### **13.12. Town Roads/Streets.**

The following is a complete list of Town roads or streets:

North-South Roads:

North Road  
Old 89 Road  
Foundry Road  
Peters Road  
Elm Ridge Road  
Klug Road

Lawson School Road  
Ridge Prairie Road  
Clowes Road  
Wise Road  
Saltbox Road

East-West Roads:

Zahm Road  
Christie Road  
School Section Road  
Pink's Lane  
Creek Road  
Westbound Lane  
Sweet Road  
R & D Townline Road  
S & D Townline Road

Subdivision Roads:

Westwood Drive  
Pleasant Street (Hiemstra Subdivision)  
Springwood Drive  
Kendall Court  
Applewood Way  
Kenney Lane  
Oak Hill Street

Allen's Grove Streets:

Hill Street  
Clinton Street  
John Street

**13.13. Class "B" Road Designation.**

The Town roads listed in Section 13.12, above, are hereby designated Class "B" Highways, pursuant to authority granted in Wis. Stat. § 349.15.

**13.14. Weight, Size, and Load Limitations.**

The weight, size, and load limitations provided in Wis. Stat. ch. 348 shall apply to all vehicles operating on any Town road. The specific weight limitations for Class "B" Highways set forth in Wis. Stat. § 348.16 are adopted, and no vehicle shall operate on any Town road at a gross weight in excess of 60 percent of the weight authorized on Class "A" Highways without a permit issued by the Public Works Superintendent.

### **13.15. Special or Seasonal Weight Limitations.**

The Public Works Superintendent shall have the authority to impose special or seasonal weight limitations, in accordance with Wis. Stat. § 349.16, in order to protect roadbeds due to deterioration, climatic conditions, or other special or temporary conditions which might seriously damage or destroy the road in the absence of such special limitations; provided however, that such special weight limitations shall be done by posting signs on or along the road on which it is desired to impose the limitations, and such sign be sufficient to give reasonable notice to road users. An authorization under this section is valid for up to 90 days, as determined by the Public Works Superintendent.

### **13.16. Use of Town Roads.**

No person or entity shall operate any vehicle or otherwise use any Town road in such a manner so as to damage the road, whether such damage is by repeated use, weight or otherwise.

### **13.17. Penalties.**

Any person or entity violating any provision of this chapter shall be penalized in accordance with Chapter 16 of the Municipal Code; provided, however, that to the extent a penalty for any such violation is provided for in any of the provisions of state law adopted hereby and incorporated herein, the person or entity committing such violation shall be subject to such penalty, as well as a forfeiture equal to the costs of prosecution and penalty assessment, if any, and in the event any such person defaults on payment of such penalty and/or forfeiture, he or she shall be imprisoned in the Walworth County Jail for a period not to exceed 30 days for each violation.