

TITLE VIII

TRAFFIC REGULATIONS

Chapter 36	Traffic Code
Chapter 37	Parking Restrictions and Abandoned vehicles
Chapter 38	Regulation of Other Vehicles
Chapter 39	<i>(Reserved for Future Expansion)</i>

Chapter 36

TRAFFIC CODE

36.01	State Traffic Laws Adopted	36.06	Weight Limits and Heavy
36.02	Traffic Control Devices, Signs, Signals and Markers		Traffic Routes
36.03	Speed Limits	36.065	Prohibitive Use of
36.04	Controlled Intersections		Compression Brakes
36.05	No Passing Zones	36.07	Penalties
36.055	Vehicles to Stop for School Buses Displaying Flashing Lights	36.08	Enforcement

36.01 STATE TRAFFIC LAWS ADOPTED.

- (1) Except as otherwise specifically provided in this Code, the statutory provisions in Chapters 340 to 348 of the Wisconsin Statutes, describing and defining regulations with respect to vehicles and traffic, 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 Code as if fully set forth herein.
- (2) Any act required to be performed or prohibited by any regulation incorporated herein by reference is required or prohibited by this Code.
- (3) Any future amendments, revisions or modifications of the statutory regulations in Chapters 340 to 348, Wis. Stat. incorporated herein, are intended to be made part of this Code and enforceable in the City of Blair.
- (4) Whenever this Code incorporates by reference specific sections of the Wisconsin Statutes, such references shall mean the Wisconsin Statutes of 1981, as from time to time amended, repealed or modified by the Wisconsin Legislature.
- (5) General references in this Code to Wisconsin Statutory Sections or Chapters describing or defining procedures or authority for enactment or enforcement of traffic regulations shall be deemed to refer to the most recent enactments describing or defining such procedures or authority.
- (6) 1985 Wisconsin Act 337 relating to the drinking age is adopted by reference.
- (7) The changes to various Sections of Chapters 340 to 348, Wis. Stat., are incorporated here as if set forth in full. Violations of the applicable provisions shall be treated as

a violation of applicable Wisconsin Chapters, as amended, a violation of this Code and subject to Sections 36.07 and 36.08.

- (8) Operation of a motor vehicle in and upon municipal parking lots shall be considered as operation upon a highway or roadway as defined by Wisconsin Law. Violations of this Chapter within said municipal parking lots shall constitute a violation as if upon a highway or roadway.
- (9) The public uses the parking lot adjacent to the north side of Blair High School as a street for vehicular traffic as well as for a parking area. It is not restricted for parking purposes only and in fact forms a connecting street between Main and Porter Streets. Operation of a motor vehicle in and upon said lot / connecting street shall be defined as operation upon a highway or roadway as defined by Wisconsin Law. Violations of this Chapter within said lot / connecting street will constitute a violation as if upon a highway or roadway as defined by our Statutes and this Code.
- (10) A person possessing intoxicants on Pedal Pubs shall be in violation of Section 346.935(2) WIS. STAT., as incorporated by this ordinance.

36.02

TRAFFIC CONTROL DEVICES, SIGNS, SIGNALS & MARKERS.

- (1) Whenever traffic regulations created by this Code, including a Wisconsin Traffic Regulation adopted by reference in Section 36.01, require the erection of a traffic control device, sign, signal or marker for the enforcement of the Code, the City shall procure, erect and maintain such control devices in conformity with the Uniform Traffic Control Device Manual promulgated by the Wisconsin Department of Transportation. The City is then required to give appropriate notice of said traffic regulation to the users of the streets and highways upon which such regulations apply. Whenever state law grants discretion to local authorities in the erecting or placement of such uniform traffic control devices, they shall be erected in such locations and in such a manner so as to carry out the purposes of this Code and give adequate warning to the users of the streets and highways of the City.
- (2) The City shall cause to be placed on each official traffic control device, sign, signal or marker erected under Sub-Section 36.02(1), a Code number assigned by the Wisconsin Department of Transportation and shall also place or direct the placing of Code numbers on all existing official traffic control devices as required by Wisconsin Law.
- (3) There is hereby established an Official Traffic Map for the City upon which shall be indicated no parking areas, restricted parking, stop signs, yield signs, special speed limits, school crossings and all other restrictions or limitations contained in this Code, as from time to time amended or modified by the Council and as required by Wisconsin Law.
- (4) A copy of the Official Traffic Map shall be maintained and displayed in the office of the Clerk.
- (5) Additions to the map may be made from time to time by the Council and the Clerk shall keep a record of such changes, having the responsibility to clearly designate the changes on the Official Traffic Map

- (6) The City may remove any sign, signal, marking or other device, which is placed, maintained or displayed in violation of this Code or State Law.

36.03 SPEED LIMITS.

- (1) The City determines that the statutory speed twenty-five (25) miles per hour limits on the following streets or portions thereof are unreasonable, unsafe and imprudent and therefore modified such speed limits as follows:
 - (A) Speed limits increased as follows: **SEE ATTACHED SCHEDULE A**
- (2) Modifications of the foregoing speed limits, whether increased or decreased, shall be the responsibility of the Council. Such modifications shall be determined as a result of meeting in regular session or upon conducting a public hearing for the purpose of considering such change or modification. Further, any change or modification as required by state law shall be abided by and carried out under the terms of this Code.

36.04 CONTROLLED INTERSECTIONS.

- (1) In the interest of public safety, the following intersections are declared controlled by the installation of stop signs: **ATTACHED SCHEDULE B**
- (2) In the interest of public safety, the following intersections are declared controlled by the installation of yield signs: **ATTACHED SCHEDULE B**
- (3) In the interest of public safety, the following are designated as railroad grade crossings and marked accordingly: **ATTACHED SCHEDULE B**

36.05 NO PASSING ZONES.

- (1) No passing zones shall be marked with unbroken yellow lines on pavement, signs or other designations indicating the beginning and end of such no passing zone within the City in accordance with the standards and procedures adopted by the Wisconsin Department of Transportation. Such zones are to be indicated on the Official Traffic Map.
- (2) Passing is prohibited in a no passing zone which is clearly marked as such, and no person shall then operate a vehicle so as to overtake or pass another vehicle to the left of the center of the roadway in such designated no passing zones.

36.055 VEHICLES TO STOP FOR SCHOOL BUSES DISPLAYING FLASHING LIGHTS.

- (1) Under Section 346.48, WIS STAT, vehicles are required to stop when school buses are displaying flashing red warning lights.
- (2) School Bus Operators are not to use the flashing red lights in certain Residential and Business Districts pursuant to Section 346.48(2)(b)2, WIS STAT.
- (3) Notwithstanding the provision of Subsection 2 and Section 346.48(2)(b)2, WIS STAT, School Bus Operators shall use the flashing red warning lights and operators of vehicles shall stop when the flashing red lights are displayed.

- (1) STREETS DESIGNATED CLASS “B” HIGHWAYS. All highways within the City of Blair, Wisconsin are hereby designated class “B” highways subject to the weight limitations imposed on class “B” highways by the Wisconsin Statutes adopted by reference in Section 36.01 of this Code, except State Highway 95.
- (2) HEAVY TRAFFIC ROUTES.
- (A) Heavy Traffic Routes Designated. The following highways or parts thereof within the City of Blair are hereby designated as heavy traffic routes:
- 1.) Broadway Street
 - 2.) Tappen Coulee Road
 - 3.) State Highway 95/Spring Street
 - 4.) Center Street
 - 5.) Webster Street (north of Broadway Street)
- (B) Restrictions On Use of Other Streets by Heavy Traffic. No person shall operate or move a vehicle which is not equipped with pneumatic tires, or has a combined vehicle load weight exceed eight thousand (8,000) pounds on any highway not part of the heavy traffic route designated in paragraph (a) of this Section, except for the purpose of obtaining orders for, or moving or delivery supplies, or commodities to or from a place of business or residence which has an entrance thereon; provided, that in no event shall the weight of vehicle and load on any street, not defined or designated as a heavy traffic route under paragraph (a), exceed the limitations pertaining to class “A” highways or deliveries on class “B” highways established by the Wisconsin Statutes.

- (1) The use of motor vehicle brakes, which are activated, used or operated by compression of the engine of a motor vehicle, is disturbing and disruptive of the public peace and tranquility contrary to the public health, safety and welfare.
- (2) No person shall use motor vehicle brakes within the City limits of the City of Blair, which are in any way activated by the compression of the engine of any such motor vehicle or unit or part thereof.
- (3) Any person violating the provisions of this ordinance shall be fined twenty dollars (\$20.00) plus costs and assessments.

- (1) FORFEITURE PENALTY. The penalty for violation of any provision of this Code shall be a forfeiture as hereafter provided, together with court costs and fees prescribed by §§814.63(1) and (2) or 814.65(1), Wis. Stat., the penalty assessment for moving traffic violations and the driver improvement surcharge imposed by

§§165.87 and 346.655, Wis. Stat., where applicable. Payments of the judgment and applicable court costs, fees, assessments and surcharges may be suspended by the sentencing court for not more than sixty (60) days. Any person eighteen (18) years of age or older who shall fail to pay the amount of the forfeiture, court costs, any penalty assessment or driver surcharge or other penalty imposed for violation of any provision of this Code may, upon order of the court entering judgment therefore and, having jurisdiction of the case, be imprisoned until such forfeiture, costs and assessment are paid, but not exceeding ninety (90) days.

- (2) OTHER SANCTIONS. Nothing herein shall preclude or affect the power of the sentencing court to exercise additional authorities granted by the Wisconsin Statutes to suspend or revoke the operating privileges of the defendant, order the defendant to submit to assessment and rehabilitation programs or to attend traffic safety school in addition to payment of a monetary penalty or in lieu or imprisonment.
- (3) FORFEITURES FOR VIOLATION OF MOVING TRAFFIC REGULATIONS. Forfeiture for violations of any moving traffic regulation set forth in the Wisconsin Statutes adopted by reference in Section 36.01 of this Code shall conform to the forfeiture penalty permitted to be imposed for violations of the comparable Wisconsin Statute, including any variations or increases for subsequent offenses; provided however, that this subsection shall not be construed to permit prosecution under this Code for any offense described in Chapters 341 to 348, Wis. Stat. for which an imprisonment penalty or fine may be imposed upon the defendant.
- (4) OTHER VIOLATIONS. Any person who shall violate any provision of this Code for which a penalty is not otherwise established by this Section shall be subject to a forfeiture of not less than fifty dollars (\$50.00) nor more than two hundred fifty dollars (\$250.00).

36.08

ENFORCEMENT.

This Ordinance shall be enforced in accordance with the applicable provisions of the Wisconsin Statutes and this Section.

- (1) APPLICABLE COURT PROCEDURES. Except as otherwise specifically provided by the laws of the State of Wisconsin or the provisions of this Code, the traffic regulations in this Code shall be enforced in the Circuit Court of Trempealeau County in accordance with the applicable provisions of Chapters 345 and 799, Wis. Stat.
- (2) CITATIONS. The Wisconsin Uniform Traffic Citation and Complaint described and defined in the Wisconsin Statutes shall be used for enforcement of all provisions of this Code, not inconsistent with Chapter 56 of this Code.
- (3) DEPOSITS AND STIPULATIONS.
 - (A) Moving Traffic Offenses. Persons arrested or cited for violation of moving traffic offenses created by this Code shall be permitted to make deposits and stipulations of no contest by deposit or forfeiture to the Clerk of Court for Trempealeau County. Such deposit or forfeiture may be delivered personally or by mail to the office of the Clerk of Courts.

(B) Non-moving Traffic Offenses. Persons cited for violation of non-moving traffic offenses described and defined in this Code may discharge the penalty thereof and avoid court prosecution by forwarding the minimum penalty specified for the violation to the City Clerk within the time specified.

(4) ARREST.

(A) §§345.22 and 345.23, Wis. Stat. are specifically adopted by reference.

(B) Without limiting the scope of the adopted sections, persons arrested for violations herein are subject to issuance of a citation and release if the arrested person:

- 1.) Makes a deposit under §345.26;
- 2.) Makes a stipulation of no contest and a deposit under §345.27;
- 3.) Deposits his/her driver's license;
- 4.) Presents a Guarantee Arrest Bond Certificate under §345.61.

(C) The scope of §§345.22 and 345.23 includes incarceration in the County Jail.

(D) The arrest and release alternatives apply to other violations under this Code, including but not limited to violations of Chapters 40, 41 and 42 of this Code.

September 12, 2011 – amend Schedule B, section 36.04(1)

June 9, 2014 – create subsection (10) of Section 36.01

July 6, 2015 – create Section 36.055

August 7, 2023 – amended Section 36.06(2)(a)