

Chapter 425

VEHICLES AND TRAFFIC

[HISTORY: Adopted by the Town Board of the Town of La Pointe as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Airport traffic — See Ch. 185.
Parks and recreation — See Ch. 347.
Peace and good order — See Ch. 350.
Snowmobiles and all-terrain vehicles — See Ch. 382.

ARTICLE I

Speed Limits

[Adopted 2-9-1988 by Ord. No. 102]

§ 425-1. Speed limits established.

In the Town of La Pointe, Ashland County, no person shall drive a vehicle at a speed in excess of the following limits unless different limits are indicated by official traffic signs or unless there is a specific ordinance or law applicable:

- A. Ten miles per hour on:
 - (1) All roads in Big Bay Town Park.
 - (2) The Town dock.
 - (3) All roads leading into the airport from Big Bay Road (County Trunk Highway H).
- B. Fifteen miles per hour in all alleys.
- C. Twenty miles per hour on Main Street, Penny Lane, O'Brien Road, ~~Court~~, Leona's Road, Nebraska Row and Voyageur Lane. [Amended 4-27-1999 and 12-27-18]
- D. Twenty miles per hour on all of Old Fort Road north of the point where Old Fort Road first intersects with Mondamin Trail coming from the north and twenty-five miles per hour on all portions of Old Fort Road south of that point of intersection with Mondamin Trail. Twenty miles per hour on Big Bay Road from Main Street to Rice Street and twenty-five miles per hour from Rice Street to the Materials Recovery Facility (MRF) entrance. (Amended 10-22-19)
- E. Twenty-five miles per hour on:
 - (1) Each of the following: Sunny Slope Road, Whitefish Street, Herring Street, Colonel Woods Avenue, Bell Street, Rice Street, Mondamin Trail, Chief Buffalo Lane, Miller Farm Road, Amundsen Lane, Kron-Dahlin Lane, and Big Arns Road, Brians Road, and Chippewa Trail.

- (2) Big Bay Road from its intersection with the present entrance to the Materials Recycling Facility west to its intersection with Main Street.
- F. Twenty-five miles per hour on Middle Road (County Trunk Highway H) from 764 feet east of Rice Street to the intersection with Main Street. The remainder of Middle Road (County Trunk Highway H) is a forty-mile-per-hour speed limit zone.
- G. Forty miles per hour on:
 - (1) All of County Trunk Highway H except as otherwise designated or posted.
 - (2) North Shore Road, Hagen Road, South Shore Road, and Benjamin Boulevard except as otherwise designated or posted.

ARTICLE II
Traffic Regulations
 [Adopted 8-15-1989 by Ord. No. 112]

§ 425-2. One-way traffic. Colonel Woods Avenue. The portion of Colonel Woods Avenue between County Highway H and the Town dock shall be designated for one-way vehicular traffic as marked by road paint and signs, the traffic on the north side to flow toward the dock and on the south side to flow away from the dock. Any person violating this subsection may be required to forfeit not more than \$50 plus applicable costs, assessments and fees.

- A. Le Sueur Street and Bell Street.
 [Added 6-25-1996 by Ord. No. 96-0625]
 - (1) The purpose of this Subsection B is twofold: to control the flow of traffic and traffic congestion at the intersection of Middle Road and Main Street and to create parking spaces on the north and south sides of Le Sueur Street from Main Street to Bell Street and parking spaces on the east side of Bell Street from Le Sueur Street to Middle Road.
 - (2) The Town Board of the Town of La Pointe has specific statutory authority, powers, and duties, pursuant to §§ 194.08 and 349.10(1)(a), Wis. Stats., to regulate, control, prevent, and enforce against in the Town of La Pointe certain uses or activities that may affect the proper preservation and policing of a public street or highway.
 - (3) The Town Board of the Town of La Pointe establishes by the adoption of this Subsection B that the portion of Le Sueur Street from its intersection with Main Street to its intersection with Bell Street shall be one way, and Bell Street, from its intersection with Le Sueur Street to its intersection with Middle Road, shall be one way.
 - (4) A violation of this Subsection B carries with it a forfeiture of not more than \$50 plus any court costs, applicable costs, assessments, and fees.

§ 425-3. Closing portion of Library Street to motor bus traffic.
 [Added 6-27-1995 by Ord. No. 95-0627]

- A. This section is titled "Town of La Pointe Ordinance Closing a Portion of Library

Street to Motor Bus Traffic." The purpose of this section is to close a portion of Library Street to motor bus traffic in order to protect the street and private property from damage caused by the turning of motor buses.

- B. The Town Board of the Town of La Pointe has the specific statutory authority, powers and duties, pursuant to §§ 194.08 and 349.17(1), Wis. Stats., to regulate control, prevent and enforce against in the Town of La Pointe certain uses, activities, businesses and operations of motor buses by persons that may affect the proper preservation or policing of the public street or highway, and designate the type and character of vehicles which may be operated thereon.
- C. The Town Board of the Town of La Pointe establishes by adoption of this section that the portion of Library Street beginning from the intersection of County Highway H, also known as "Big Bay Road," up to the intersection of Library Street and Colonel Woods Avenue shall be closed to motor bus traffic.
- D. A violation of this section carries with it a forfeiture in accordance with but not to exceed the current Uniform State Traffic Deposit Schedule, plus any applicable costs, assessments and fees.

ARTICLE III
Parking Lots
[Adopted 6-13-2000]

§ 425-4. Designation of individual parking lots.

The parcels of land and areas for the parking of vehicles on Madeline Island in the Town of La Pointe, Ashland County, which are described herein are designated and regulated as set forth herein:

- A. Town Lot A (Airport Parking Lot). The parcel of land north of the airstrip at the La Pointe Airport which was designed and is designated for parking shall be known as "Town Lot A." This parcel is in Section 20, Township 50 North, Range 3 West, and is Land Parcel No. 116-2400.
- B. Town Lot D (on the La Pointe Town Dock). The areas on the La Pointe Town Dock which are labeled or designated for parking shall be known as "Town Lot D."
- C. Town Lot E (Emergency Services Building Parking Lot). The parcel of land adjacent to the Emergency Services Building which was designed and is designated for parking shall be known as "Town Lot E." This parcel is in Section 30, Township 50 North, Range 3 West, and is Land Parcel No. 199-0000.
- D. Town Lot F (foot of La Pointe Town Dock Parking Lot). The parcel of land at the foot of the La Pointe Town Dock which was designed and is designated for parking shall be known as "Town Lot F." This parcel is situated between Lot 1 of Block 27 and Lot 6 of Block 26, Village of La Pointe.
- E. Town Lot H (Town Hall Parking Lot). The parcel of land adjacent to the La Pointe Town Hall which was designed and is designated for parking shall be known as "Town Lot H." This parcel is in Lots 3, 4, 5 and 6, Block 16, Section 30, Township 50 North, Range 3 West, and is Land Parcel No. 404-0000.

- F. Town Lot L (Library Parking Lot). The parcel of land east of the Library which was designed and is designated for parking shall be known as "Town Lot L." This parcel is in Lot 1, Block 38, Section 30, Township 50 North, Range 3 West, and is Land Parcel No. 439-0100.
- Town Lot M (Memorial Park Parking Lot). The parcel of land east of Joni's Beach which was designed and is designated for parking shall be known as "Town Lot M." This parcel is in Lot 5, Block 45, Section 30, Township 50 North, Range 3 West, and is Land Parcel No. 450-4000.
- G. Town Lot P (Post Office Parking Lot). The parcel of land north of the La Pointe Post Office which was designed and is designated for parking shall be known as "Town Lot P." This parcel is situated between Lot 1 of Block 27 and Lot 6 of Block 26, Village of La Pointe.
- H. Town Lot R (Recreation Center Parking Lot). The parcel of land south of the La Pointe Recreation Center which was designed and is designated for parking shall be known as "Town Lot R." This parcel is in Lot 5 of Block 45, Section 30, Township 50 North, Range 3 West and is Land Parcel No. 438-0200.
- I. Sunny Slope Lot S. The parcel of land south of Sunny Slope Road which was designed and designated for parking shall be known as "Town Lot S." This parcel is in Section 30, Township 50 North, Range 3 West, Lot 1, Block 2 and 1/2 vacated alley adjoining. The described parcel shall hereinafter be referred to as "Town Lot S." [Added 11-26-2002]
- J. Winter Transportation Terminal Lot T. The parcel of land adjacent to the Winter Transportation Terminal Building which was designed and designated for parking shall be known as "Town Lot T." This parcel is in Section 30, Township 50 North, Range 3 West, and is Land Parcel No. 199-0000. [Added 11-26-2002]
- K. Town Lot W (parking lot at intersection of Whitefish Street and Colonel Woods Avenue). The parcel of land northeast of the intersection of Whitefish Street and Colonel Woods Avenue which was designed and is designated for parking shall be known as "Town Lot W." This parcel is in Outlot 26, Section 30, Township 50 North, Range 3 West, and is Land Parcel No. 470-0300.

§ 425-5. Posting and maintaining signs.

[Amended 11-26-2002]

The Town, or its designee, shall post and maintain signs at or near each of the following Town parking lots setting forth the restrictions which apply to that parking lot: Town Lots A, D, E, F, H, L, M, P, R, S, T and W.

§ 425-6. Town Lot A restrictions.

[Amended 5-23-2001; 10-8-2002¹]

No person shall park or allow any vehicle to remain present in Lot A for more than 96 consecutive hours between April 1 and October 31. No person shall park or allow any vehicle to remain present in Lot A for more than 14 consecutive days between November 1 and March 31. Only vehicles are permitted to be present in Town Lot A; no trailer or other tangible property is allowed to be present in Town Lot A. Parking permits for longer periods of time may be issued by the airport manager to those who use Town Lot A for

aviation-related purposes only. Parking permits for longer periods of time may be issued by the Town Clerk, if approved by the Airport Manager, to those who use Town Lot A for aviation-related purposes only, upon payment of a fee as set by the Town Board.

§ 425-7. Town Lot D restrictions.

- A. No person shall park or leave unattended any vehicle, trailer or tangible property on any part of or portion of the La Pointe Town Dock, except that the Madeline Ferry Lines, Inc., has three reserved parking spaces at the end of the dock.
- B. No person shall park or leave unattended any vehicle, trailer or tangible property on a finger pier unless that person has, at that time, such space leased to him by the Town of La Pointe.

§ 425-8. Town Lot E restrictions.

- A. No person shall park or leave any vehicle, trailer or tangible property in Town Lot E unless such person is then conducting business at the La Pointe Emergency Services Building or is then maintaining the La Pointe Emergency Services Building or its grounds.
- B. No person shall park or leave any vehicle, trailer or tangible property in any portion or part of Town Lot E which blocks, interferes with or obstructs any vehicle or person from immediately responding from the Emergency Services Building or from immediately returning to the Emergency Services Building.

§ 425-9. Town Lot F restrictions.

No person shall park or leave any vehicle, trailer or tangible property in any part or portion of Town Lot F between the hours of 2:30 a.m. and 5:30 a.m.

§ 425-10. Town Lot H restrictions.

- A. No person shall park or leave any vehicle, trailer or tangible property in any portion or part of Town Lot H between the hours of 2:30 a.m. and 5:30 a.m. unless such person is then conducting business in the Town Hall or is then maintaining the Town Hall building or its grounds.
- B. No person, other than the person holding the office or position designated on the sign, shall park or leave any vehicle, trailer or tangible property in any portion or area of Town Lot H designated by a sign.

§ 425-11. Town Lots L and M restrictions.

No person shall park or leave any vehicle, trailer or tangible property in any part or portion of Town Lot L or Town Lot M between the hours of 2:30 a.m. and 5:30 a.m.

§ 425-12. Town Lot P restrictions.

- A. No person shall park or leave any vehicle, trailer or tangible property in any part or portion of Town Lot P between the hours of 2:30 a.m. and 5:30 a.m.

- B. No person shall park or leave any vehicle, trailer or tangible property in Town Lot P for more than 15 minutes between the hours 9:00 a.m. and 5:00 p.m. on Monday through Friday, or between the hours of 9:00 a.m. and 2:00 p.m. on Saturdays.

§425-13. Town Lot R restrictions.

No person shall park or leave any vehicle, trailer or tangible property on any part or portion of Town Lot R for a period of more than four consecutive days between April 1 and October 31, or for a period of more than 14 consecutive days between November 1 and March 31.

§ 425-14. Town Lot S restrictions. [Added 11-26-2002; amended 3-8-2005]

Parking restrictions in Municipal Lot S are as follows: no person shall park or leave any vehicle, trailer, or tangible property for a period longer than four consecutive days in the parking lot known as "Town Lot S."

§ 425-15. Town Lot T restrictions. [Added 11-26-2002]

Parking is restricted to allow those who are physically disabled, operators and maintenance personnel of the Winter Transportation Terminal.

§ 425-16. Town Lot W restrictions.

No person shall park or leave any vehicle, trailer or tangible property in any part or portion of Town Lot W for a period of more than four consecutive days between April 1 and October 31, or for a period longer than 14 consecutive days between November 1 and March 31.

§ 425-17. Extended parking in Lots R and W. ²

Extended parking may be allowed in Town Lots R and W pursuant to a written permit issued by the Town of La Pointe. Any person desiring to receive an extended parking permit for Town Lot R and/or W shall submit a Town-approved written application for an extended parking permit to the Town of La Pointe Town Clerk which has been properly completed and which indicates the applicant's name and address, the number of days requested, the reason for the permit, and the vehicle or trailer to be parked, along with the applicable fee. In order for an extended parking permit issued by the Town to be valid, such extended parking permit shall be prominently displayed inside the windshield of the parked vehicle, on the driver's side, where the permit can be clearly observed by a parking attendant or law enforcement officer. The fee for an extended parking permit is set by the Town Board.

§ 425-18. Violation of permit terms.

Any person who causes, allows, or is responsible for any vehicle, trailer or tangible property which is so situated as to violate a term or provision of a parking permit issued by the Town of La Pointe is in violation of this article and is subject to the applicable penalty set forth herein.

§ 425-19. Parking spaces reserved for disabled persons.

- A. Spaces in Town Lots A, D, E, F, H, L, M, P, R, S, T and W may be reserved, by sign or otherwise, for use only by motor vehicles used by a physically disabled person. A motor vehicle used by a physically disabled person means a motor vehicle displaying special registration plates issued under § 341.14, Wis. Stats., or a special identification card issued under § 343.51, Wis. Stats., or a motor vehicle registered in another jurisdiction and displaying a registration plate, card or emblem issued by the other jurisdiction which designates the vehicle as a vehicle used by a physically disabled person. [Amended 11-26-2002]
- B. Only motor vehicles specified above, which are then being used by a physically disabled person, are permitted to park in a parking space reserved for use by motor vehicles used by a physically disabled person.

§ 425-20. Individual parking spaces.

- A. If a Town parking lot contains lines designating individual parking spaces within that parking lot, vehicles, trailers, or other personal property which is parked or present in that Town parking lot shall be parked or situated between such lines and within a single parking space, to the extent possible.
- B. No vehicle, trailer, or item of personal property shall be parked or situated straddling a parking space line in a Town parking lot unless it is impossible for such vehicle, trailer, or personal property to fit within a single designated parking space.
- C. The intent of this section is to prohibit persons from unnecessarily tying up two parking spaces in a Town parking lot with a single vehicle, trailer, or item of personal property that will fit within a single space.

§ 425-21. Obstructions prohibited.

No person shall park or place any vehicle, trailer, or other item of personal property in a Town parking lot in such a position or location where it obstructs, interferes with, or tends to obstruct or interfere with the use of that Town parking lot by others.

§ 425-22. Speed limit.

The speed limit in Town parking lots in the Town of La Pointe is 10 miles per hour.

§ 425-23. Snow removal; maintenance; closure.

Town of La Pointe highway maintenance employees and Town of La Pointe law enforcement officers are hereby empowered and authorized to:

- A. Direct persons to remove a vehicle, trailer, or item of personal property from a Town parking lot for snow removal or maintenance purposes. No person shall fail to obey a directive issued under this provision.

- B. Close a Town parking lot to public use when appropriate circumstances exist which warrant such action in such person's reasonable discretion. No person shall park or place any vehicle, trailer, or other item of personal property in a Town parking lot which is closed.

§ 425-24. Enforcement. ³

The provisions of this article shall be enforced by a law enforcement officer or a parking attendant of the Town of La Pointe, the Ashland County Sheriff's Department, or by any other law enforcement officer in the State of Wisconsin. The Town Board of the Town of La Pointe hereby adopts and approves a parking violation notice form for use in the enforcement of this article, a copy of which is on file at the Police Chief's office. Use of this parking violation notice envelope or another parking notice form or envelope, which is substantially similar, is hereby authorized, as is the use of the then current standard Wisconsin uniform traffic citation form.

§ 425-25. Violations and penalties.
[Amended 01-30-2017]

- A. Any person or entity violating any term or provision of § 425-7, 425-8, 425-9, 425-10, 425-11, 425-12, 425-13, 425-14, 425-15, 425-16, 425-17, 425-19, 425-21, 425-22 or 425-23 of this article, or any other section of this article for which a penalty is not specifically set forth, shall be subject to the following penalties: [Amended 11-26-2002]
 - (1) A forfeiture of not less than \$20 nor more than \$40 if the parking violation notice or citation is paid within 10 days from the date of its issuance.
 - (2) A forfeiture of not less than \$40 nor more than \$80 if the parking violation notice or citation is paid after 10 days from the date of its issuance.
 - (3) If a parking violation notice or citation is not paid within 28 days of the date of its issuance and the matter goes to court, the violator is also responsible for payment of any court costs, fees, assessments, penalties, surcharges, witness fees, mileage, reasonable attorney fees of the Town and other amounts which are applicable.
- B. Any person or entity violating any term or provision of §425-20, 425-24, 425-28 or 425-32 of this article shall be subject to the following penalties:
 - (1) A forfeiture of not less than \$50 nor more than \$100if the parking violation notice or citation is paid within 10 days from the date of its issuance.
 - (2) A forfeiture of not less than \$100 nor more than \$200 if the parking violation notice or citation is paid after 10 days from the date of its issuance.
 - (3) If a parking violation notice or citation is not paid within 28 days of the date of its issuance and the matter goes to court, the violator is also responsible for payment

of any court costs, fees, assessments, penalties, surcharges, witness fees, mileage, reasonable attorney fees of the Town and other amounts which are applicable.

§ 425-26. Procedure for person charged with violation.

- A. A person charged with a violation of this article may mail the amount of the forfeiture to the Town Treasurer at the La Pointe Town Hall. In the alternative, a person charged with a violation of this article may deposit the amount of the forfeiture in the locked deposit box maintained for this purpose located outside the La Pointe Town Hall. When a person mails the amount of the forfeiture to the Town Treasurer or deposits the amount of the forfeiture in the locked deposit box located outside the La Pointe Town Hall, which is maintained for this purpose, within 28 days of the issuance of the parking violation notice or citation, the parking violation notice or citation will not be filed with or transmitted to court, provided that the correct amount of deposit was received by the Town Treasurer by the required date.
- B. If the person appears in court in response to a parking violation notice or citation for a violation of this article, the procedures under §§ 345.34 to 345.47, Wis. Stats., apply.
- C. If a person charged with a violation of this article does not pay the forfeiture to the Town Treasurer or deposit the forfeiture in the locked box provided for these deposits located outside the La Pointe Town Hall within 28 days after the parking violation notice or citation is issued, the procedures set forth in § 345.28(3) through (7), inclusive, Wis. Stats., apply.
- D. The provisions of Ch. 345, Wis. Stats., relating to nonmoving traffic violations apply to violations of this article.
- E. Parking violation notice envelopes addressed to the Town Treasurer at the Town of La Pointe Town Hall, La Pointe, Wisconsin, containing a deposit for a violation of this article shall be deemed received by the Town and paid only when actually physically received by the Town Treasurer or the Town Treasurer's designee on a business day when the Town Hall is open. The risk of non-delivery or untimely delivery of a forfeiture or deposit for a violation of this article is on the sender and not on the Town or its Treasurer.

§ 425-27. Separate violation.

Each individual day a violation of any term or provision of this article occurs shall be a separate and distinct violation for which a separate and distinct penalty may be imposed.

§ 425-28. Abandoned vehicles.

Section 342.40, Wis. Stats., is hereby incorporated herein by reference as though fully set forth herein and applies within the Town of La Pointe.

§ 425-29. Towing and towing expenses.

- A. In addition to the penalty provisions of this article, any vehicle, trailer or personal property which is parked or situated in any Town parking lot in violation of any term or provision of this article is subject to being moved, removed and/or towed by the

Town or at the Town's direction or request.

- B. The owner/operator or possessor of any vehicle or other property which is so moved, removed and/or towed in or from any Town parking lot is responsible for payment and/or reimbursement for all costs, expenses, and charges associated with such activity, as well as for any storage or disposal costs, expenses, or charges which result.⁴

§ 425-30. Impound lot.

- A. The Town will establish and maintain in the Town of La Pointe a separate area or lot in which vehicles, trailers and other personal property which are in violation of this article are impounded. Such impound lot may also be used for other law enforcement purposes.
- B. When a vehicle, trailer or other item of personal property which was in violation of this article or was in violation of any other law, regulation or ordinance has been placed in the Town's impound lot by or at the request or direction of a parking attendant or law enforcement officer who has a duty or responsibility to enforce this article, such vehicle, trailer or item of personal property may not be removed from the Town's impound lot until all amounts due to the Town of La Pointe have been paid to the Town Treasurer or deposited with the Town Treasurer, including but not limited to all applicable forfeitures or fines, all towing charges and expenses, all storage charges and expenses, and any other fees, expenses or charges associated with abandoned vehicles or property. The owner of each vehicle, trailer, or other item of personal property which is parked or placed in the Town's impound lot at the request or direction of a parking attendant or law enforcement officer shall pay an impound lot storage fee as set by the Town Board to the Town of La Pointe per day for each day such vehicle, trailer, or personal property is impounded in such impound lot.⁵

§ 425-31. Presumptions.

It shall be presumed for the purpose of this article that the registered owner of each registered vehicle or registered trailer is the person responsible for such vehicle or trailer parked in violation of this article. It shall be presumed for the purpose of this article that the person using or possessing any unregistered vehicle, unregistered trailer, or other tangible property found situated in a Town parking lot in violation of this article is the violator of this article.

§ 425-32. Definitions.

The definitions of words and terms set forth in Chs. 340 through 348, inclusive, Wis. Stats., are incorporated herein by reference.

§ 425-33. Amendments to statutes.

When any section, subsection, or provision of the Wisconsin Statutes which is referred to herein is hereafter amended, this article shall be deemed to have been automatically and simultaneously similarly amended so as to remain in conformance with such amended

section, subsection or provision of the Wisconsin Statutes.

§ 425-34. Restrictions.

Bell Street

No person shall park or leave any vehicle, trailer, or tangible property on any part or portion of Bell Street between 2:30 a.m. and 5:30 a.m.

Big Arns Road

(Added 12-11-18; Amended 10-8-19)

No person shall park or leave any vehicle, trailer or tangible property on any part or portion of Big Arns Road.

Brians Road

(Added 12-11-18; Amended 10-8-19)

No person shall park or leave any vehicle, trailer or tangible property on any part or portion of Brians Road.

Colonel Woods Avenue

No person shall park or leave any vehicle, trailer or tangible property on any part or portion of Colonel Woods Avenue from its intersection with Main Street to its intersection with

Griggs Approach Road

No person shall park or leave any vehicle, trailer or tangible property unattended on any part or portion of Griggs Approach Road.

Le Sueur Street

No person shall park or leave any vehicle, trailer or tangible property on any part or portion of Le Sueur Street between 2:30 a.m. and 5:30 a.m.

Library Street

No person shall park or leave any vehicle, trailer or tangible property on any part or portion of Library Street from its intersection with Colonel Woods Avenue to its intersection with Rice Street.

No person shall park or leave any vehicle, trailer or tangible property on the south side of Library Street from its intersection with County Highway H (Big Bay Road) to its intersection with Rice Street.

Main Street

No person shall park or leave any vehicle, trailer or tangible property on any part or portion of Main Street from its intersection with County Highway H (Middle Road) to its intersection with County Highway H (Big Bay Road) between 2:30 a.m. and 5:30 a.m.

No person shall park or leave any vehicle, trailer or tangible property on any part or portion of Main Street between its intersection with the entrance of the La Pointe Town Dock and its intersection with the exit of the La Pointe Town Dock

No person shall park or leave any vehicle, trailer or tangible property on the east side of Main Street from the intersection of County Highway H (Middle Road) for 890 feet south.

No person shall park or leave any vehicle, trailer or tangible property on the west side of Main Street from 890 feet south of the County Highway H (Middle Road) intersection to the south end of Main Street.

No person shall park or leave any vehicle, trailer or tangible property on the west side of Main Street from the Town Dock entrance to the corner of its intersection with Main Street and Big Bay Road on Sundays and other days as needed from May 25 to October

10. This subsection shall only be in effect and enforced when temporary "No Parking" signs have been placed or installed by a Town of La Pointe law enforcement officer or highway maintenance employee.

Michel Cadotte Road

[Added 7-28-2009; amended 8-24-2010]

No person shall park or leave any vehicle, trailer or tangible property on any part or portion of Michel Cadotte Road between the hours of 2:30 a.m. and 5:30 a.m.

O'Brien Court

No person shall park or leave any vehicle, trailer or tangible property unattended on any part or portion of the west end of O'Brien Court which is hereby designated as a closed-end turnaround cul-de-sac area.

No person shall park or leave any vehicle, trailer or tangible property on the north side of O'Brien Court.

No person shall park or leave any vehicle, trailer or tangible property unattended on any part or portion of O'Brien Court between November 15 and May 15.

Old Fort Road

No person shall park or leave any vehicle, trailer, or tangible property on any part or portion of Old Fort Road south from the intersection of Casper Road between 12:00 a.m. and 6:00 a.m.

No person shall park or leave any vehicle, trailer, or tangible property on any part or portion of Old Fort Road from its intersection with Main Street to its intersection of Casper Road.

Penny Lane

No person shall park or leave any vehicle, trailer, or tangible property on any part or portion of Penny Lane.

Rice Street

No person shall park or leave any vehicle, trailer or tangible property on any part or portion of the east side of Rice Street.

No person shall park or leave any vehicle, trailer or tangible property on any part or portion of Rice Street between 2:30 a.m. and 5:30 a.m.

Sunny Slope Road

No person shall park or leave any vehicle, trailer or tangible property on any part or portion of the east end of Sunny Slope Road which is hereby designated a closed-end turnaround cul-de-sac area.

No person shall park or leave any vehicle, trailer or tangible property on any part or portion of Sunny Slope Road between the hours of 2:30 a.m. and 5:30 a.m.

Whitefish Street

No person shall park or leave any vehicle, trailer or tangible property on any part or portion of Whitefish Street between 2:30 a.m. and 5:30 a.m.

No person shall park or leave any vehicle, trailer or tangible property on the east side of Whitefish Street between the hours of 7:30 a.m. and 4:30 p.m. between the intersections of County Highway H (Big Bay Road) and Colonel Woods Avenue.

No person shall park or leave any vehicle, trailer or tangible property on any part or portion of the west side of Whitefish Street.

425-35. Designated handicapped parking spaces.

- A. No person shall park or leave any vehicle, trailer or tangible property on any portion of any Town of La Pointe street or road that has been designated as a reserved parking area for motor vehicles used by a physically disabled person. A motor vehicle used by a physically disabled person means a motor vehicle displaying special registration plates issued under § 341.14, Wis. Stats., or a special identification card issued under § 343.51, Wis. Stats., or a motor vehicle registered in another jurisdiction and displaying a registration plate, card or emblem issued by the other jurisdiction which designates the vehicle as a vehicle used by a physically disabled person.
- B. Only motor vehicles specified above, which are then being used by a physically disabled person, are permitted to park in a parking space reserved for use by motor vehicles used by a physically disabled person.

§ 425-36. Winter parking; snow removal; maintenance.

- A. Town of La Pointe law enforcement officers and highway maintenance employees are hereby empowered and authorized to direct persons to remove a vehicle, trailer, or item of personal property from a highway, street, road, alley and their rights-of-way for snow removal or maintenance purposes. No person shall fail to obey a directive issued under this provision.
- B. No person shall park or leave any vehicle, trailer or tangible property upon any street, road, alley or highway and their rights-of-way in the Town of La Pointe during a snowstorm.
- C. No person shall park or leave any vehicle, trailer or tangible property upon any street, road, alley or highway and their rights-of-way in the Town of La Pointe where such vehicle impedes or interferes with snowplowing and snow removal procedure.

§ 425-37. Enforcement. ⁶

The provisions of this article shall be enforced by a law enforcement officer of the Town of La Pointe, Ashland County Sheriff's Department, or by any other law enforcement officer having jurisdiction in Ashland County, Wisconsin. The Town Board of the Town of La Pointe hereby adopts and approves a parking violation notice form for use in the enforcement of this article, a copy of which is on file at the Police Chief's office. Use of this parking violation notice envelope or another parking notice form or envelope which is substantially similar is hereby authorized, as is the use of the then current standard Wisconsin uniform traffic citation form.

§ 425-38. Violations and penalties.
[Amended 03-20-2017]

A. Any person or entity violating any term or provision of § 425-36 of this article for which a penalty is not specifically set forth shall be subject to the following penalties:

- (1) A forfeiture of not less than \$20 nor more than \$40 if the parking violation notice or citation is paid within 10 days from the date of its issuance.
- (2) A forfeiture of not less than \$40 nor more than \$80 if the parking violation notice or citation is paid after 10 days from the date of its issuance.
- (3) If a parking violation notice or citation is not paid within 28 days of the date of its issuance and the matter goes to court, the violator is also responsible for payment of any court costs, fees, assessments, penalties, surcharges, witness fees, mileage, reasonable attorney fees of the Town and other amounts which are applicable.

B. Any person or entity violating any term or provision of § 425-37, 425-38 of this article shall be subject to the following penalties:

- (1) A forfeiture of not less than \$50 nor more than \$100 if the parking violation notice or citation is paid within 10 days from the date of its issuance.
- (2) A forfeiture of not less than \$100 nor more than \$200 if the parking violation notice or citation is paid after 10 days from the date of its issuance.
- (3) If a parking violation notice or citation is not paid within 28 days of the date of its issuance and the matter goes to court, the violator is also responsible for payment of any court costs, fees, assessments, penalties, surcharges, witness fees, mileage, reasonable attorney fees of the Town and other amounts which are applicable.

§ 425-39. Procedure for person charged with violation.

A. A person charged with a violation of this article may mail the amount of the forfeiture to the Town Treasurer at the La Pointe Town Hall.

B. In the alternative, a person charged with a violation of this article may deposit the amount of the forfeiture in the locked deposit box maintained for this purpose located outside the La Pointe Town Hall.

- C. When a person mails the amount of the forfeiture to the Town Treasurer or deposits the amount of the forfeiture in the locked deposit box located outside the La Pointe Town Hall, which is maintained for this purpose, within 28 days of the issuance of the parking violation notice or citation, the parking violation notice or citation will not be filed with or transmitted to court, provided that the correct amount of deposit was received by the Town Treasurer by the required date.
- (1) If the person appears in court in response to a parking violation notice or citation for a violation of this article, the procedures under §§ 345.34 to 345.47, Wis. Stats., apply.
 - (2) If a person charged with a violation of this article does not pay the forfeiture to the Town Treasurer or deposit the forfeiture in the locked box provided for these deposits located outside the La Pointe Town Hall within the 28 days after the parking violation notice or citation is issued, the procedures set forth in § 345.28(3) through (7), inclusive, Wis. Stats., apply.
 - (3) The provisions of Ch. 345, Wis. Stats., relating to nonmoving traffic violations apply to violations of this article.
 - (4) Parking violation notice envelopes addressed to the Town Treasurer at the Town of La Pointe Town Hall, La Pointe, Wisconsin, containing a deposit for a violation of this article shall be deemed received by the Town and paid only when actually physically received by the Town Treasurer or the Town Treasurer's designee on a business day when the Town Hall is open. The risk of non-delivery or untimely delivery of a forfeiture or deposit for a violation of this article is on the sender and not on the Town or its Treasurer.

§ 425-40. Separate violation.

Each individual day a violation of any term or provision of this article occurs shall be a separate and distinct violation for which a penalty may be imposed.

§ 425-41. Abandoned vehicles.

Section 342.40, Wis. Stats., is hereby incorporated herein by reference as though fully set forth herein and applies within the Town of La Pointe.

§ 425-42. Towing and towing expenses.

- A. In addition to the penalty provisions of this article, any vehicle, trailer or personal property which is parked or situated upon any street, road, alley, or highway and their rights-of-way in the Town of La Pointe and in violation of any term or provision of this article or any term or provision of the Wisconsin Statutes is subject to being moved, removed, and/or towed by the Town or at the Town's direction or request.
- B. The owner/operator or possessor of any vehicle or other property which is so moved, removed and/or towed is responsible for payment and/or reimbursement for all costs, expenses, and charges associated with such activity, as well as for any storage or disposal costs, expenses, or charges which result.

§ 425-43. Impound lot.

- A. The Town may establish and maintain in the Town of La Pointe or elsewhere a separate area or lot in which vehicles, trailers and other personal property which are in violation of this article are impounded. Such impound lot may also be used for other law enforcement purposes.
- B. When a vehicle, trailer or other item of personal property which was in violation of this article or was in violation of any other law, regulation or ordinance has been placed in the Town's impound lot by or at the request or direction of a parking attendant or law enforcement officer who has a duty or responsibility to enforce this article, such vehicle, trailer or item of personal property may not be removed from the Town's impound lot until all amounts due to the Town of La Pointe have been paid to the Town Treasurer or deposited with the Town Treasurer, including but not limited to all applicable forfeitures, all towing charges and expenses, all storage charges and expenses, and any other fees, expenses or charges associated with such vehicles or property. The owner of each vehicle, trailer, or other item of personal property which is parked or placed in the Town's impound lot at the request or direction of a parking attendant or law enforcement officer shall pay an impound lot storage fee as set by the Town Board to the Town of La Pointe per day for each day such vehicle, trailer, or personal property is impounded in such impound lot.⁷

§ 425-44. Presumptions.

It shall be presumed for the purpose of this article that the registered owner of each registered vehicle or registered trailer is the person responsible for such vehicle or trailer parked in violation of this article. It shall be presumed for the purpose of this article that the person using or possessing any unregistered vehicle, unregistered trailer, or other tangible property found parked upon any street, road, alley or highway and their rights-of-way in the Town of La Pointe in violation of this article is the violator of this article.

§ 425-45. Definitions.

The definitions of words and terms set forth in Chs. 340 through 349, inclusive, Wis. Stats., are incorporated herein by reference.

§ 425-46. Amendments to statutes.

When any section, subsection, or provision of the Wisconsin Statutes which is referred to herein is hereafter amended, this article shall be deemed to have been automatically and simultaneously similarly amended.

6. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).

Chapter 425

Article IV

Low-Speed Vehicles

[Amended/ Added 8-3-2022]

- A. **Definitions.** A low-speed vehicle (LSV) must meet National Highway Traffic Safety Administration Federal Motor Vehicle Safety Standards and must have a certification label stating that the vehicle meets those standards. A golf cart is not considered an LSV.
- B. **Operation.** An LSV may be operated in La Pointe only upon those streets having a posted speed limit of 25 miles per hour or less. Operation of an LSV is prohibited on sidewalks, recreational trails, and within municipal parks and recreation areas (except on roadways and in parking lots). To operate legally in La Pointe:
1. An LSV must be titled and registered through the DMV.
 2. The operator of a low-speed vehicle shall be in possession of a valid driver's license at the time of its operation.
 3. The LSV and operator shall comply in all respects with all applicable Town ordinances and State laws.
 4. Operators of LSVs must have a motor vehicle liability policy in effect that covers the LSV and meets minimum required coverage. The LSV operator must display proof of insurance coverage upon demand.
- C. **Standards.** To be eligible for use on a street in the Township of La Pointe, a low-speed vehicle shall comply with the following standards:
1. It shall have four wheels and shall have a speed range potential of at least 20 miles per hour but no more than 25 miles per hour on a paved surface and a gross vehicle weight at rest of less than 3,000 pounds.
 2. It shall have headlights, front and rear turn signals, and stop lamps.
 3. It shall have red reflex reflectors on each side as far to the rear as practicable and one such reflector on the rear.
 4. It shall have an exterior mirror mounted on the driver's side, and either an exterior mirror on the passenger side or an interior rearview mirror.
 5. It shall have a parking brake.
 6. It shall have a windshield that conforms to the requirements of the Federal Motor Vehicle Safety Standard on glazing materials (49 CFR 571.205).
 7. It shall possess a vehicle identification number (VIN) which complies with the Federal Code (949 CFR 656).
 8. For each designated seating position, it shall have a Type 1 or Type 2 seatbelt assembly conforming to 49 CFR 571-209 and Federal Motor Safety Standard No. 209.
 9. It shall meet the general test conditions under 49 CFR 571.50056.
 10. It shall be self-propelled by gas or electric power.