

CHAPTER 27

VEHICLES AND TRAFFIC

ARTICLE I. IN GENERAL

SECTIONS

- 27-1 DEFINITIONS
- 27-2 RESERVED
- 27-3 RESESRVED
- 27-4 RESERVED
- 27-5 RESERVED
- 27-6 RESERVED
- 27-7 STATE TRAFFIC LAWS ADOPTED
- 27-8 SPEED LIMITS
- 27- 8-2.1 NEIGHBORHOOD ELECTRIC VEHICLES
- 27-9 USE OF FLASHING RED LIGHTS BY SCHOOL BUS OPERATORS
- 27-10 PROHIBITED CROSSINGS
- 27-11 MOTOR RUNNING WHILE PARKED
- 27-12 VEHICLES NEAR FIRES
- 27-13 CROSSING BRIDGES.
- 27-14 TRUCK ROUTES DESIGNATED

ARTICLE II. RAILROAD REGULATIONS

- 27-15 MOVING CARS
- 27-16 OBSTRUCTING STREETS

ARTICLE III. ABANDONED, WRECKED, DISMANTLED OR DISCARDED VEHICLES

- 27-17 LEAVING OF WRECKED, NON-OPERATING VEHICLE ON STREET
- 27-18 VEHICLE ABANDONMENT PROHIBITED; REMOVAL; DISPOSAL
- 27-19 DISPOSITION OF WRECKED OR DISCARDED VEHICLES ON PRIVATE PROPERTY

ARTICLE IV. GENERAL PARKING RESTRICTIONS

- 27-20 AUTHORIZE "TRAFFIC OFFICERS"
- 27-21 RESPONSIBILITY OF OWNER
- 27-22 PARKING OF VEHICLES IN MUNICIPALLY OWNED OFF-STREET PARKING AREAS
- 27-23 PARKING PROHIBITIONS ON DESIGNATED STREETS, ALLEYS AND PARKING LOTS
- 27-24 PARKING PROHIBITIONS - HEAVY TRAFFIC
- 27-25 OVERTIME PARKING

ARTICLE V. NON-METERED PARKING RESTRICTIONS

- 27-26 ALL NIGHT PARKING PROHIBITED
- 27-27 SPECIAL PRIVILEGE PERMIT FOR ALL NIGHT PARKING
- 27-28 PARKING LOCATIONS FOR VEHICLES WITH PERMIT OR PERMISSION
- 27-29 TAXICABS ON MAIN STREET
- 27-30 FIRE LANES
- 27-31 PARKING ON TERRACES PROHIBITED
- 27-32 STOPPING, STANDING OR PARKING PROHIBITED IN PARKING SPACES RESERVED FOR VEHICLES DISPLAYING SPECIAL REGISTRATION PLATES OR SPECIAL

- IDENTIFICATION CARDS.
- 27-33 SNOW EMERGENCY TRAFFIC REGULATIONS
- 27-34 PUBLIC PARKING AREAS
- 27-35 CITY HALL PARKING LOT, 215 CHURCH AVENUE
- 27-36 RESERVED (Formerly -PUBLIC LIBRARY PARKING)

ARTICLE VI. PARKING METER REGULATIONS

- 27-37 PURCHASE AND PAYMENT OF METERS
- 27-38 CITY MANAGER TO CONTROL METERS
- 27-39 PARKING METER RATES
- 27-40 SLUGS PROHIBITED
- 27-41 COLLECTOR AND MAINTENANCE MAN; APPOINTMENT; DUTIES
- 27-42 USE OF METER REVENUE
- 27-43 CAPPING METERS
- 27-44 PARKING OF VEHICLES
- 27-45 REPEALED 8/25/09 (Formerly -TWO (2) HOUR METERED CITY OWNED PARKING LOT)
- 27-46 PARKING PERMITS
- 27-47 (RESERVED – Formerly – MUNICIPAL PARKING RAMPS)
- 27-48 PERMIT PARKING AREAS
- 27-49 LEASED PARKING STALLS
- 27-50 WEST 8TH AVENUE PARKING LOT
- 27-51 WEST TENTH AVENUE PARKING LOT

ARTICLE VII. ENFORCEMENT OF PARKING RESTRICTIONS

- 27-52 ENFORCEMENT OF PARKING RESTRICTIONS
- 27-53 BASIC PENALTIES FOR VIOLATIONS UPON ISSUANCE OF PARKING TICKET
- 27-54 PAYMENT OF PARKING VIOLATIONS; TIME LIMITS; FAILURE TO PAY
PARKING TICKETS
- 27-55 TRAFFIC VIOLATIONS AND REGISTRATION PROGRAM
- 27-56 ALTERNATE PROCEDURE

ARTICLE VIII. BICYCLE, IN-LINE SKATES, AND SKATEBOARDING REGULATIONS

- 27-57 BICYCLE REGISTRATION REQUIRED
- 27-58 BICYCLE REGISTRATION PROCEDURE
- 27-59 BICYCLE LICENSING AND REGISTRATION
- 27-60 ILLEGIBLE STICKER; REPLACEMENT STICKER
- 27-61 MUTILATION OF STICKER OR SERIAL NUMBER
- 27-62 TRANSFER OR CANCELLATION
- 27-63 GENERAL REGULATIONS FOR BICYCLISTS
- 27-64 REQUIRED EQUIPMENT FOR BICYCLES
- 27-65 GENERAL REGULATIONS FOR USE OF IN-LINE SKATES
- 27-66 SKATEBOARD REGULATIONS

ARTICLE IX. PENALTIES.

- 27-67 PENALTIES

CHAPTER 27
VEHICLES AND TRAFFIC

ARTICLE I. IN GENERAL

SECTIONS 27-1 DEFINITIONS

For the purposes of this chapter, the following definitions are used.

(1) Holidays: Includes New Year's Day (January 1), Memorial Day (the last Monday in May), Independence Day (July 4), Labor Day (the first Monday in September), Thanksgiving Day (the fourth Thursday in November), and Christmas Day (December 25).

SECTIONS 27-2 THROUGH 27-6 RESERVED

SECTION 27-7 STATE TRAFFIC LAWS ADOPTED

Except as otherwise specifically provided in this ordinance, all provisions of Chapters 340 to 350 of the Wisconsin Statutes described and defining regulations with respect to vehicles and traffic for which the penalty is a forfeiture only, including penalties to be imposed and procedure for prosecution, and all provisions of Trans 305 of the Wisconsin Administrative Code describing and defining regulations relative to the equipment of vehicles are hereby adopted and by reference made a part of this ordinance as if fully set forth herein together with any future additions, deletions or supplements thereto, are herewith incorporated as part of this Chapter and shall be enforced with the same force and effect as though set forth in full herein. Providing, however, that where such rules and regulations are less stringent than other provisions found in this Code, the provisions of this Code shall apply. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this ordinance.

SECTION 27-8 SPEED LIMITS

(A) State speed limits adopted.
The provisions of Subsections 346.57, 346.58 and 346.59 of the Wisconsin Statutes, relating to the maximum and minimum speed of vehicles, and such changes and additions as may be appended thereto from time to time are hereby adopted and by reference made a part of this ordinance as if fully set forth herein, except as specified by Subsection (B) hereof pursuant to Sub-section 349.11(3)(c) of the Wisconsin Statutes.

(B) Exceptions.

(1) Fifteen (15) miles per hour for all vehicles on the following named streets:

Poplar Avenue, from Broad Street to Mill Street.

Lane Street, from Babbitz Avenue to Rahr Avenue.

Babbitz Avenue, from Lane Street to Shoreline Street.

All streets and parking lots within any city park except as otherwise provided in this section.

All streets and parking lots within any county park located within the city limits except as otherwise provided in this section.

(1.1) **Fifteen (15) miles per hour** for all vehicles in a highway maintenance or construction area, or in a utility work area, and where construction workers are present.

(2) **Twenty-five (25) miles per hour** for all vehicles on the following specified City streets:

All streets within the corporate limits except as otherwise provided in this Code.

(2.1) **Thirty (30) miles per hour** for all vehicles on the following named streets:

Algoma Boulevard from Murdock Avenue to Roosevelt Avenue.

Harrison Street, from New York Avenue to County Trunk Highway "A"

Jackson Street from Division Street/Marion Road to Bacon Avenue.

Koeller Street, from Highway 44 to 720 feet south of Menard Drive.

Koeller Street from 850 feet north of 9th Avenue to Oshkosh Avenue

Main Street, from New York Avenue to existing 35 mph zone.

South Main Street from 17th Avenue to South Park Ave.

Murdock Avenue, from Algoma Boulevard to Hazel Street.

Oakwood Road from STH 91 to Witzel Avenue for that portion within the city.

Omro Road from Oshkosh Avenue to Rath Lane.

Oregon Street from 24th Avenue to 28th Avenue.

Oshkosh Avenue/Congress Avenue, from Koeller Street to Algoma Blvd.

Packer Avenue from Jackson Street to Harrison Street.

South Park Avenue from Ohio Street to Knapp Street.

Washburn Street from two-tenths (2/10) of a mile south of STH 21 to Dickinson Avenue.

Witzel Avenue, from .2 of a mile west of Westbrook Drive to Ohio Street.

West 9th Avenue, from Oregon Street westerly to the city limits.

20th Avenue from South Park Avenue Westerly to the City Limits.

(3) **Thirty-five (35) miles per hour** for all vehicles on the following specified City streets:

Bowen Street from Murdock Avenue to Harrison Street.

Highway 21 from Highway 41 to 300 feet west of Omro Road.

STH 91 from Highway 44 westerly for that portion in the city.

Hughes Avenue, from 1,530 feet south of Oregon Street to 270 feet north of Waukau Avenue.

Jackson Street (U.S. Highway 45), from Bacon Avenue northerly to a point .22 mile north of its intersection with Fernau Avenue.

N. Main Street, from Packer Avenue north to Snell Road.

Oregon Street from 28th Avenue to Waukau Avenue.

Osborn Avenue from .2 mile east of Koeller Street to Knapp St.

Omro Road (STH 21) from Rath Lane to Highway 41.

Planeview Drive from STH 26 to Pickett Road.

Snell Road from 300 feet west of Vinland St. to Sherman Road.

South Main Street, from West 17th Avenue southerly to Fond du Lac Road.

Fond du Lac Road, (STH 45) from South Main Street to Myrna Jane Drive.

South Park Avenue, (State Highway Trunk 44), from Knapp Street to a point 0.2 of a mile southwest of the bridge over Highway 41.

Washburn Street from Dickinson Avenue to 0.3 miles south of Waukau Avenue.

Witzel Avenue from .2 of a mile west of Westbrook Drive westerly to the city limits.

(4) **Forty (40) miles per hour** for all vehicles on the following specified City streets:

Algoma Boulevard, (US Highway 45), from Roosevelt Avenue to .7 miles north for that portion in the city limits.

Fernau Avenue from Snell Road to Vinland Street.

Knapp Street Road from STH "44" to Waukau Avenue.

Poberezny Road from Waukau Avenue to Knapp Street Road.

Waukau Avenue from Poberezny Road to Knapp Street Road.

Waukau Avenue from Highway 44 to Washburn Street

(5) **Forty-five (45) miles per hour** for all vehicles on the following specified City streets:

Algoma Boulevard, (US Highway 45), from .7 miles north of Roosevelt Avenue north for that portion in the city limits.

County Trunk "A" from Harrison Street north for that portion in the city limits.

County Trunk "Y" from County Trunk "A" westerly for that portion in the city limits.

Fond du Lac Road, (STH 45), from Myrna Jane Drive south for that portion in the city limits.

Highway 21 from 300 feet west of Old Omro Road to .2 miles west of Oakwood Road.

Jackson Street, (U.S. Highway 45), from a point .22 of a mile north of its intersection with Fernau Avenue, northerly to a point .1 of a mile north of its intersection with County Trunk Highway "Y".

Lake Butte des Morts Drive from Westwind Road to Ryf Road.

Oregon Street from Waukau Avenue to 35th Avenue.

Planeview Drive from Fisk Avenue to STH 26.

Snell Road from 300 feet west of Vinland Street to Highway 110.

South Park Avenue, (State Trunk Highway 44), from a point .2 of a mile southwest of the bridge over U.S. Hwy. 41, southwesterly to a point 300 feet southwest of the intersection with State highway 91.

Washburn Street from 0.3 miles south of Waukau Avenue to Fisk Avenue.

Highway 26 for that portion within the city limits.

- (6) **Fifty-five (55) miles per hour** for all vehicles on the following specified streets:

Highway 44 from .1 mile southwest of the intersection with Universal Street to the westerly city limits.

SECTION 8-2.1 NEIGHBORHOOD ELECTRIC VEHICLES

- (A) "Neighborhood Electric Vehicle" ("NEV") means Neighborhood Electric Vehicle as defined in section 340.01(36r) of the Wisconsin Statutes and currently registered and licensed by the Wisconsin Department of Transportation.
- (B) Individuals may operate an NEV on any street within the jurisdictional limits of the City of Oshkosh that has a posted speed limits of 35 miles per hour or less including connecting highways and state trunk highways within the City of Oshkosh.
- (C) The operation of NEV's shall comply with all traffic statutes and ordinances applicable to vehicles traveling upon streets and highways in the City of Oshkosh.
- (D) Any person operating an NEV within the jurisdictional limits of City of Oshkosh shall hold a valid Wisconsin Driver's license.

SECTION 27-9 USE OF FLASHING RED LIGHTS BY SCHOOL BUS OPERATORS

- (A) The operator of a school bus equipped with flashing red warning lights as specified in Section 347.25(2), Stats., shall use said warning lights in residence or business districts where curbs and sidewalks exist on both sides of the street when pupils or other authorized passengers are to be

loaded or unloaded at a location at which there are no traffic signals and such persons must cross the street before being loaded or after being unloaded.

- (B) When flashing red warning lights are used pursuant to subsection (A), the provisions of Section 346.48(1) and (2)(a) pertaining to proper use of said lights and approaching motorists, and Sec. 346.49(2)(a), Stats., pertaining to penalties for violating said sections shall apply and are hereby adopted and by reference made a part of this ordinance with the same force and effect as though set out herein in full.

SECTION 27-10 PROHIBITED CROSSINGS

- (A) Between the adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a crosswalk.
- (B) On streets not covered by Subsection (A) of this Section no pedestrians shall cross a street in the City between intersections when a vehicle is approaching from either direction so as to interfere with the free movement of traffic or constitute a hazard for his own safety, or use such highway at any time in a reckless or negligent manner.

SECTION 27-11 MOTOR RUNNING WHILE PARKED

No operating mechanism of any motor vehicles shall be left running while any such vehicle is left unattended on any municipal or public parking lots, private parking lots held open to the public or any public or private street, avenue, boulevard, or alley in the City.

SECTION 27-12 VEHICLES NEAR FIRES

No vehicle shall be parked or allowed to stand upon any street within four hundred (400) feet of any place where the Fire Department shall be at work upon a burning building or fire.

SECTION 27-13 CROSSING BRIDGES.

Vehicles approaching any bridge in the City shall, if the draw be unlocked or the lift in operation, stop prior to the safety gate upon the bridge, and no such vehicle shall proceed over the bridge until the draw be again locked or the lift lowered and the safety gates in such bridge opened. No person operating any motor vehicle shall pick up or discharge any passenger on any bridge in the City at any time.

SECTION 27-14 TRUCK ROUTES DESIGNATED

- (A) "Heavy traffic" means all vehicles not operating completely on pneumatic tires and 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.
- (B) The following streets shall be designated as heavy traffic routes:

Algoma Boulevard (Highway 45) – Congress Avenue to north city limits
Algoma Boulevard – Main Street to Jackson Street

Bowen Street – Ceape Avenue to north city limits
 Ceape Avenue - Main Street to Bowen Street
 County Trunk "A" - Harrison Street to the north city limits
 Fernau Avenue – Snell Road to Vinland Road
 Fond du Lac Road (Highway 45) – South Main Street to south city limits
 Harrison Street - New York Avenue to north city limits
 High Avenue – Main Street to Jackson Street
 Highway 21 – Highway 41 to west city limits
 Highway 26 – Highway 41 to west city limits
 Highway 91 – Highway 44 to west city limits
 Irving Avenue - Wisconsin Street to Main Street
 Jackson Street and Oregon Street - North city limits to South city limits
 Knapp Street – Highway 44 to Poberezny Road
 Koeller Street – Highway 44 to Highway 21
 Main Street – Fond du Lac Road to New York Avenue
 Main Street - Packer Avenue to Snell Road
 Murdock Avenue – Algoma Boulevard to Bowen Street
 Oakwood Road – Highway 91 to 20th Avenue
 Ohio Street - South Park Avenue to Wisconsin Street
 Omro Road - Oshkosh Avenue to Highway 41
 Oshkosh Avenue and Congress Avenue - Omro Road to Algoma Blvd
 Otter Avenue – Main Street to Bowen Street
 Packer Avenue - Jackson Street to Harrison Street
 Planeview Drive – Fisk Avenue to south city limits
 Poberezny Road – Knapp Street to Waupun Road
 Sawyer Street - 9th Avenue to Oshkosh Avenue.
 Snell Road -- Highway 45- to County Trunk "A"
 South Park Avenue (Highway 44) – Ohio Street to west city limits
 Washburn Street – North city limits to south city limits
 Waukau Avenue – Highway 44 to Washburn Street
 Waupun Road – Highway 41 to Poberezny Road
 Wisconsin Street - Ohio Street to Irving Avenue
 Witzel Avenue - Ohio Street to west city limits
 9th Avenue – Main Street to west city limits
 20th Avenue – Oregon Street to west city limits
 24th Avenue - Oregon Street to Main Street.

- (C) No person shall operate heavy traffic vehicles on any public street in the City except those streets particularly set forth in subsection (B) above as heavy traffic routes, provided, however, that this section shall not be construed to prohibit heavy traffic from using routed state trunk highways or from using any 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 which has an entrance on such street or highway.
- (D) All north and south bound non-stop heavy truck traffic shall use the West Twenty-fourth Avenue Oregon Street-Jackson Street route.

ARTICLE II. RAILROAD REGULATIONS

SECTION 27-15 MOVING CARS

It shall be unlawful for any railroad company, its officers or agents to operate or cause to be operated, propelled, pushed, bunted or otherwise, any car or cars across or upon any street in the City without having

attached thereto a locomotive.

SECTION 27-16 OBSTRUCTING STREETS

It shall be unlawful for any person or railroad company or any contractor, employee, agent or servant of any railroad company to obstruct any street, highway, sidewalk or alley or any part thereof in the City by leaving any engine, car or cars standing upon, within or across any street, highway, sidewalk or alley for any period in excess of ten (10) minutes.

ARTICLE III. ABANDONED, WRECKED, DISMANTLED OR DISCARDED VEHICLES

SECTION 27-17 LEAVING OF WRECKED, NON-OPERATING VEHICLE ON STREET

No person shall leave any partially dismantled, wrecked, junked or unregistered vehicle, any vehicle unable to move under its own power, or any vehicle not able to be used legally on any public street in accordance with the provisions of Chapters 347 and 348 of the Wisconsin Statutes and/or Trans 305 of the Wisconsin Administrative Code, on any street, highway or municipally owned off-street parking area within the City.

SECTION 27-18 VEHICLE ABANDONMENT PROHIBITED; REMOVAL; DISPOSAL

- (A) No person shall leave unattended any motor vehicles, trailer, semi-trailer, or mobile home on any public highway or public property, for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. Whenever any vehicle has been left unattended on any public highway or public property for more than forty-eight (48) hours, the vehicle is deemed abandoned and constitutes a public nuisance.
- (B) Any vehicle in violation of this Section shall be impounded until lawfully claimed or disposed of, except that if the Chief of Police or his/her representative determines that the cost of towing and storage charges for the impoundment would exceed the value of the vehicle, the vehicle may be junked upon determination by the Chief of Police or his/her representative that the vehicle is not wanted for evidence or other reason.
- (C) Any police officer, who discovers any motor vehicle, trailer, semi-trailer, or mobile home on any public highway or public property which has been abandoned shall cause the vehicle to be removed to a suitable place of impoundment.
- (D) The owner of any abandoned vehicle except a stolen vehicle is responsible for the abandonment and all costs of impounding and disposing of the vehicle. Costs not recovered from the sale of the vehicle may be recovered in a civil action by the municipality against the owner.
- (E) The provisions of §342.40(3)(c) are adopted and incorporated herein by reference together with any future additions, deletions or supplements thereto, are herewith incorporated as part of this Chapter and shall be enforced with the same force and effect as though set forth in full herein. Providing, however, that where such rules and regulations are less stringent than other provisions found in this Code, the provisions of this Code shall apply.
- (F) Any person abandoning a vehicle in the City shall pay the cost of impounding and disposing of the vehicle and shall further be liable to a forfeiture of not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00).

SECTION 27-19 DISPOSITION OF WRECKED OR DISCARDED VEHICLES ON PRIVATE PROPERTY

No person in charge or control of any private property within the City, whether as owner, tenant, occupant, lessee, or otherwise, shall allow any partially dismantled, wrecked, junked, discarded vehicle, or unregistered vehicle, any vehicle unable to move under its own power, or any vehicle not able to be used legally on any public street in accordance with the provisions of Chapters 347 and 348 of the Wisconsin Statutes and/or Trans 305 of the Wisconsin Administrative Code to remain on such property longer than three (3) days; and no person shall leave any such vehicle on any private property within the City for a longer time than three (3) days.

- (A) Exceptions. This Article shall not apply with regard to a vehicle in an enclosed building; a vehicle on the premises of a business enterprise operated in a lawful place and manner, when necessary to the operation of such business enterprise; or a vehicle in an appropriate storage place of depository maintained in a lawful place and manner by the City.

ARTICLE IV. GENERAL PARKING RESTRICTIONS

SECTION 27-20 AUTHORIZE "TRAFFIC OFFICERS"

For the purposes of this Chapter, duly appointed Community Service Officers, Courtesy Aides and Parking Meter Servicemen are hereby designated as "Traffic Officers" within the meaning of Sections 340.01(70) and 349.13 of the Wisconsin Statutes and are hereby authorized to issue citations for all non-moving traffic violations included in Articles III-VII this Chapter.

- (A) For purposes of enforcing Section 27(A-3)(E)(F)(G) of this Code, specifically 15-minute parking meter regulations on Algoma Boulevard, 30-minute parking meters on Elmwood Avenue and Irving Avenue, the Pay and Display zones, duly appointed Campus Police and Security Officers are designated as "traffic officers" within the meaning of Sections 340.01(70) and 349.13 of the Wisconsin Statutes and are authorized to issue UW-O citations for all non-moving violations related to Section 27(A-3)(E)(F)(G) as heretofore outlined.
- (B) For purposes of enforcing Section 27-30 of this code, specifically the provisions regarding fire lanes, Officers within the Oshkosh Fire Department are designated as "traffic officers" within the meaning of Sections 340.01(70) and 349.13 of the Wisconsin Statutes and are authorized to issue parking tickets and citations for all non-moving violations related to Section 27-30 as heretofore outlined.

SECTION 27-21 RESPONSIBILITY OF OWNER

If any vehicle is found upon a street, alley, highway, park or other public grounds of the City in violation of any provision of this Chapter, or any ordinance of this City, regulating the stopping, or standing or parking of vehicles, the identity of the driver cannot readily be determined, the owner, or person in whose name such vehicle is registered, shall be held prima facie responsible for such violation.

SECTION 27-22 PARKING OF VEHICLES IN MUNICIPALLY OWNED OFF-STREET PARKING AREAS

- (A) Proper Parking. It shall be unlawful to park any vehicle in any municipal parking facility except within the limits of a designated parking space, except as permitted in Section 27-22(B). All vehicles parking in municipally owned off-street parking areas shall park with the front end facing away from the aisle except in the North Main Street/400 Block West Parking Lot, the City Center Lot and Library Lot. Backing into or pulling through stalls shall be prohibited except in the North Main Street/400 Block West Parking Lot, the City Center Lot and Library Lot. Backing into or pulling through stalls shall be prohibited except in the North Main Street/400 Block West Parking Lot, the City Center Lot and Library Lot. Motorized vehicles with three (3) or less wheels may park with the front end of the vehicle facing the aisle. Persons for whom the Department of Transportation of the State of Wisconsin has issued a special registration plate under Sec. 341.14(1) to (1r), Wis. Stats., or a special identification card under Sec. 343.51, Wis. Stats. may back into a marked stall reserved for vehicles displaying said plates or identification cards.
- (B) Restricted Vehicles. It shall be unlawful to park any type of heavy traffic vehicle, commercial vehicle, trailer, recreational vehicle, or motor home for a period of time exceeding the posted time limit, in any parking facility owned by the City of Oshkosh.
- (C) Trespassing. It shall be unlawful for any person not having business to attend to in connection with the parking of a motor vehicle to trespass or loiter on any municipal parking facility.
- (D) EXCEPTIONS. In unusual circumstances the City Manager may grant exceptions to these provisions for a vehicle to park on a temporary basis.

SECTION 27-23 PARKING PROHIBITIONS ON DESIGNATED STREETS, ALLEYS AND PARKING LOTS

No person shall at any time park an automobile or other vehicle, whether attended or unattended, upon any designated street, avenue, boulevard or parts thereof which are designated as "no parking" areas or contrary to any appropriate sign installed by the city restricting parking.

SECTION 27-24 PARKING PROHIBITIONS - HEAVY TRAFFIC

- (A) No person shall park heavy traffic vehicles as defined in section 27-14 of this code, motor busses, truck tractors, semi-trailers, trailers, panel trucks, delivery vehicles and/or any other type of motor trucks designed, used or maintained primarily for the transportation of property, whether attended or unattended, upon any street, avenue, boulevard or other public right-of-way except those areas designated as truck routes.
- (B) No person shall park heavy traffic vehicles as defined in section 27-14 of this code, motor busses, truck tractors, semi-trailers, trailers, panel trucks, delivery vehicles and/or any other type of motor trucks designed, used or maintained primarily for the transportation of property, whether attended or unattended, upon any street, avenue, boulevard or other public right-of-way between the hours of 2:00 a.m. and 5:00 a.m.
- (C) No person shall park or permit to be parked any heavy traffic vehicles as defined in section 27-14 of this code, motor busses, truck tractors, semi-trailers, trailers, panel trucks, delivery vehicles and/or any other type of motor trucks designed, used or maintained primarily for the transportation of property, on any property within the City of Oshkosh which is zoned residential or contains a residential use as provided in Chapter 30 of this municipal code.
- (D) This section shall not be construed to prohibit heavy traffic vehicles as defined in section 27-14 of this code, motor busses, truck tractors, semi-trailers, trailers, panel trucks, delivery vehicles and/or

any other type of motor trucks designed, used or maintained primarily for the transportation of property, from using routed state trunk highways or from using any 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 which has an entrance on such street or highway.

SECTION 27-25 OVERTIME PARKING

It shall be unlawful for any person to park any vehicle in any municipal parking area for a period of time in excess of the maximum time fixed by ordinance for that parking area.

It shall be unlawful for any person to deposit or cause to be deposited in a parking meter one (1) or more coins for the purpose of extending the parking time beyond the maximum time fixed by ordinance.

ARTICLE V. NON-METERED PARKING RESTRICTIONS

SECTION 27-26 ALL NIGHT PARKING PROHIBITED

(A) Regulations. No person shall permit any vehicle of any kind or description to be parked on any public highway, or portion of street right-of-way, including but not limited to terraces and sidewalks, in the City of Oshkosh between the hours of 2:00 a.m. and 5:00 a.m.

(1) No person shall permit any vehicle of any kind or description to be parked in any free two (2) hour or less parking stall in the following lots between the hours of 2:00 a.m. and 5:00 a.m. :

- | | |
|----------------------|----------------------------|
| P-01—Algoma Lot | P-10 – Otter Lot |
| P-03 – Jefferson Lot | P-11 – Pearl Lot |
| P-04 – Grand Lot | P-15 – Washington Lot |
| P-07 – Library Lot | P-16 – 400 Block West Lot |
| P-08 – Main Lot | P-17 – Division Street Lot |

(B) Exceptions.

- (1) The Police Department may grant permission to so park a vehicle on a temporary basis in unusual circumstances.
- (2) In congested areas, as designated by the Police Department, vehicles may be parked during such hours; provided they shall first obtain a special privilege permit from the Police Department after filing an application with said Department and paying a permit fee to the Police Department, all as required under this ordinance and shall be parked as authorized by such permit.
- (3) Motor busses; Truck tractors; semi-trailers; trailers; and Motor Trucks designed, used or maintained primarily for the transportation of property; shall not be eligible for such special privilege parking permits.

SECTION 27-27 SPECIAL PRIVILEGE PERMIT FOR ALL NIGHT PARKING

(A) Contents of application. The application form shall contain the name and address of the owner of the vehicle, the license number, make and year of the vehicle, the name of the month of issuance, and the date of expiration, a statement that the owner resides in the designated congested area and is unable to find reasonable accommodation.

(B) Contents of permit. The permit shall contain the number of the permit, the name and address of the

owner of the vehicle, the make, year and license number of the vehicle, the location where the vehicle is to be parked, the month of issue, and date of expiration. The permit shall be a different color every month. All permits shall be numbered consecutively.

- (C) Approval by Police Department; term. The application for a special privilege permit shall be first approved by the Police Department in accordance with the needs of the individual in said congested areas before a special privilege permit can be issued by said department, and said permit shall be valid for a period of not longer than one (1) month ending at midnight of the last day of the month of issue. The Police Department may revoke said permit if at any time reasonable accommodations are available to the owner, or for failure to comply with any of the provisions of this ordinance.

(1)(a) Notwithstanding the foregoing, in addition to the monthly permit, the Department may issue an annual permit, valid for a 12-month period, beginning of the first day of the month when issued and ending at midnight on the 12th month from date of issuance for any street within the corporate limits, except for both sides of the streets in an area bounded by these streets: beginning on Jackson Street at the Fox River to Church Avenue, east on Church Avenue to Franklin Street, north on Franklin Street to West Parkway Avenue, east on Parkway Avenue to Division Street, north on Division Street to Scott Avenue, west on Scott Avenue to Central Street, north on Central to Prospect Avenue, west on Prospect Avenue to Merrill Street, north on Merrill Street to New York Avenue, west on New York Avenue to Jackson Street, north on Jackson Street to Congress Avenue, west on Congress Avenue to the Fox River, including both sides of the streets named.

(b) In addition to the monthly permit, the Department may issue a 9-month permit, valid for a 9-month period, beginning the first day of September and ending at midnight on the last day of May, and a 3-month permit, valid for a 3-month period, beginning the first day of June and ending at midnight on the last day of August for both sides of the streets in an area bounded by these streets: beginning on Jackson Street at the Fox River to Church Avenue, east on Church Avenue to Franklin Street, north on Franklin Street to West Parkway Avenue, east on Parkway Avenue to Division Street, north on Division Street to Prospect Avenue, west on Prospect Avenue to Merrill Street, north on Merrill Street to New York Avenue, west on New York Avenue to Jackson Street, north on Jackson Street to Congress Avenue, west on Congress Avenue to the Fox River, including both sides of the streets named.

- (D) Location on vehicle. The permit shall be placed in the lower driver's side corner of the windshield or in such other conspicuous place as the Police Department may designate, while the motor vehicle is in a parked position.
- (E) Fee. The special privilege permit fee shall be Ten Dollars (\$10.00) per month; provided, however, that if any permit is granted after the 15th day of the month, the permit fee shall be Five Dollars (\$5.00) for the remainder of said month.

(1) The fees for the annual permits, as authorized under Section 27-27(C)(1) of this Code shall be: annual permit \$120; for the 9-month permit \$90.00 and for the 3-month permit \$30.00. There shall be no proration for any partial month.

- (F) Receipts to be placed in special fund. All moneys received from said permit fees shall be placed in a separate fund for off-street parking purposes only, except that costs for the printing of application forms and permits, stationery, postage, office supplies, and for any other kindred forms and the printing thereof in connection with the administration of this ordinance shall be paid out of this fund.

SECTION 27-28 PARKING LOCATIONS FOR VEHICLES WITH PERMIT OR PERMISSION

Any vehicles parked pursuant to the provisions of Sections 27-26 and 27-27 above shall be parked only on the even numbered side of the street on those nights bearing an even calendar date during the portion thereof before midnight, and on the odd numbered side of the street on those nights bearing an odd calendar date during the portion thereof before midnight, except that where bays have been provided in terraces, that such vehicles may be parked in such bays on all calendar dates, subject to any orders which the Police Department may issue to the contrary; that said permit shall not be issued for a location where parking is prohibited on the opposite side of the street except where such permit is for a bay in the terrace; no more than one permit shall be issued on any street for each one hundred fifty (150) feet of street space except where such permit is for a bay in the terrace; no vehicle shall be allowed to remain parked in such space after 12 o'clock noon of the day following the overnight parking. No person shall park or cause to be parked, any automobile, truck, or other vehicle whatsoever on any public street or highway or in any City operated unmetered public parking area for more than twenty-four (24) hours at one time.

The parking permit issued pursuant to this Section shall be subject to the provisions of Section 27-33 of this Code relating to emergency snow removal regulations.

SECTION 27-29 TAXICABS ON MAIN STREET

No taxi shall park on Main Street from the Fox River to Parkway Avenue.

SECTION 27-30 FIRE LANES

Fire lanes which have been marked with the words "Fire Lane - No Parking" pursuant to Chapter 13 of this municipal code shall be maintained free of all obstructions at all times. No vehicle shall be stopped or parked upon any portion of a designated fire lane.

SECTION 27-31 PARKING ON TERRACES PROHIBITED

No person shall park any automobile or other vehicle, whether attended or unattended, on any municipally owned terrace; terrace meaning that portion between the sidewalk and the normal back of the curb line.

SECTION 27-32 STOPPING, STANDING OR PARKING PROHIBITED IN PARKING SPACES RESERVED FOR VEHICLES DISPLAYING SPECIAL REGISTRATION PLATES OR SPECIAL IDENTIFICATION CARDS.

- (1) State Statutes Adopted. The rules and regulations pertaining to Stopping, Standing or Parking Prohibited in Parking Spaces Reserved for Vehicles displaying Special Registration Plates or Special Identification Cards in Section 346.505 of the Wisconsin Statutes, together with any future additions, deletions or supplements thereto, are herewith incorporated as part of this Chapter and shall be enforced with the same force and effect as though set forth in full herein. Providing, however, that where such rules and regulations are less stringent than other provisions found in this Code, the provisions of this Code shall apply.

SECTION 27-33 SNOW EMERGENCY TRAFFIC REGULATIONS

- (A) Declaration of snow emergency; plowing of streets. There is hereby declared an emergency to exist in the City by reason of heavy snowfall whenever snow falls during any period of twenty-four (24) hours or less to a depth of three (3) inches or more in that such snowfall constitutes a serious public hazard, impairing transportation, the movement of food and fuel supplies, medical care, fire, health

and police protection and other vital facilities of the City. Such emergency is declared to continue for a period of forty-eight (48) hours from the time it announced or until such earlier time as snow plowing operations have been declared completed. Whenever such an emergency exists and the proper City officials shall have caused announcement thereof to be made by at least one (1) radio station whose normal operating range covers the City, it shall be unlawful for any operator or owner to park or suffer or permit a vehicle to be parked so as to interfere with snow plowing operations on the City streets. In the event the owner or operator, of such vehicle shall not attend to its removal the Police Department is authorized to move such vehicles to some other suitable location, at the owner's expense, so as not to interfere with snow plowing.

- (B) Parking during snow removal period. When after any snowfall, which the Director of Public Works and Chief of Police shall deem to be sufficiently heavy to necessitate its removal from the vehicular traveled portion of the streets, the Chief of Police shall forthwith establish "no parking" zones on any streets where such snow removal operations will be taking place. Such "no parking" areas shall be marked with appropriate moveable signs not less than four (4) hours prior to the commencement of the snow removal operation, and such streets may be shut off and blocked at all times while the crews are operating thereon. It shall be the duty of the operator of a motor vehicle to check his vehicle after each snowfall to determine whether it is parked in an area from which snow is to be removed, and if in such area such vehicle shall be removed forthwith. In the event the owner, or operator, of such vehicle shall not attend to its removal, the Police Department is authorized to move such vehicles to some other suitable location, at the expense of the owner thereof, so as not to interfere with snow removal.
- (C) Streets narrowed by excessive snow. When after any snowfall and snow plowing operation a street, or portion thereof, is sufficiently narrowed by excessive snow having been plowed toward the curbing, so as to constitute a serious public hazard, impairing transportation and the movement of vehicular traffic, the Chief of Police may restrict parking on such streets until such time as such hazard is eliminated by the placing of appropriate moveable signs thereon restricting the parking of vehicles, whereupon it shall be unlawful to park a vehicle on such streets contrary to the restrictions thereby imposed.

SECTION 27-34 PUBLIC PARKING AREAS

- (A) Twenty-four (24) hour limit. No person shall park or cause to be parked, any automobile, truck, or other vehicle whatsoever in any City operated unmetered public parking area for more than twenty-four (24) hours at one time, or such other period of time as the City Manager may hereafter designate, except for vehicles having a residential parking permit.
- (B) City Manager may alter time limit. The City Manager is authorized, when in his opinion reasonable traffic and parking conditions require same, to further limit the time period for parking in said public parking areas, or portions of any said public parking areas.
- (C) Parking in excess of twenty-four (24) hours; permission required. In the event any person shall desire to park any vehicle in said area for a period of time exceeding the maximum number of hours, permission therefor shall first be obtained from the Chief of Police.
- (D) Signs to be posted. Proper and conspicuous signs shall be erected at convenient places on said parking lots advising users of the parking limitation.

SECTION 27-35 CITY HALL PARKING LOT, 215 CHURCH AVENUE

- (A) Visitor parking; two (2) center aisles. No automobile or other vehicles whether attended or unattended shall park in the area designated as "Visitor Parking" (Two (2) center aisles) in the City

Hall Parking Lot located at 215 Church Avenue for a period of time exceeding one (1) hour.

The first stall on either side of the center aisle is hereby designated for vehicles displaying special registration plates or special identification cards and shall be limited to those persons having special registration license plates or special identification cards on their vehicles.

- (B) Employee parking. No automobile or other vehicle whether attended or unattended shall park in the City Hall Parking Lot located at 215 Church Avenue in an area other than those designated as "Visitor Parking" without a designated parking permit issued by the City Manager, visibly exhibited on said vehicle.
- (C) Five (5) Minute Parking. The southwesterly portion immediately adjacent to City Hall is hereby designated as "5 Minute Parking".
- (D) When Applicable. The provisions of this Section shall apply only during the hours of seven (7:00) o'clock A.M. to five (5:00) o'clock P.M. on Monday thru Friday.

SECTION 27-36 RESERVED (Formerly -PUBLIC LIBRARY PARKING)

ARTICLE VI. PARKING METER REGULATIONS

SECTION 27-37 PURCHASE AND PAYMENT OF METERS

The proper City officials shall enter into a contract for the purchase and installation of the necessary number of parking meters required to fulfill the purpose of this Article and the type to be authorized by the Common Council, and to provide payment therefor exclusively from the receipts obtained by the City from the operation of such parking meters.

SECTION 27-38 CITY MANAGER TO CONTROL METERS

The City Manager may cause the installation of meters on streets and within designated areas, and may cause the removal of any meters heretofore or hereafter installed, all without further action by the Common Council; the City Manager shall, however, report to the Council for confirmation of action so taken.

SECTION 27-39 PARKING METER RATES

The rate for parking meters in the City shall be \$.25 per hour, except for meters designated as thirty (30) minute meters where the rate shall be \$.25 per thirty (30) minute period, fifteen (15) minute meters where the rate shall be \$.25 per fifteen (15) minute period, and twelve (12) minute meters where the rate shall be \$.25 per twelve (12) minute period. The rate for Pay and Display machines shall be \$.50 per hour.

SECTION 27-40 SLUGS PROHIBITED

It shall be unlawful to deposit or cause to be deposited in any parking meter any slug, device or other substitute for a coin of the United States, and it shall be unlawful for any person to tamper with, open, willfully break or destroy any parking meter or part thereof.

SECTION 27-41 COLLECTOR AND MAINTENANCE MAN; APPOINTMENT; DUTIES

There is hereby established the position of "Collector and Maintenance Man for Parking Meters", which

position shall have such duties as are prescribed by the Director of Finance, and shall be under the general direction of the City Manager. The hiring and discharging of such employees shall be vested in the City Manager. The salary of such position as established by the Common Council shall be paid from parking meter revenues and sufficient of such revenues are hereby appropriated for said purpose. It shall also be his duty to collect all coins deposited in said parking meters and deposit the same with the City Treasurer.

SECTION 27-42 USE OF METER REVENUE

- (A) For parking facilities. The net revenue resulting from the operation of said parking meters after the deduction of the original cost, cost of replacements, repairs and surety bond as hereinbefore provided, and cost of collection, enforcement and administration, shall be placed in the parking utility fund, the purpose of which fund shall be to make provisions for off street parking lots; said fund to be used for said purpose as the Council may from time-to-time direct. Any unexpended balances in said fund are not to become part of the General Fund of the City and the City Treasurer shall keep a separate bank account thereof so that funds are not commingled with other City funds. All earnings, upon investment of said fund, shall when received be and constitute an addition to the fund. However, any advances made from the General Fund to provide for street parking by lots purchased or other method of acquisition of parking sites, pending the accumulation of sufficient receipts from the operation of the parking meters herein authorized to provide such parking sites, shall be reimbursed out of the parking utility fund when sufficient moneys accumulate therein.
- (B) Parking meter revenues enacted as a police power ordinance. The payment of the sums required to be deposited in said meters is hereby levied as a police regulation and inspection fee to cover the cost of providing parking spaces, parking meters, and installation and maintenance thereof; the cost of regulation and inspection, operation, control and use of the parking meter spaces in zones created herein; for the regulation and control of traffic moving in and out of and parking in said spaces and zones so created; and for the cost of any resultant traffic administration expense.

SECTION 27-43 CAPPING METERS

- (A) Loading zones. Persons entitled to loading zones shall apply to the Chief of Police for this privilege; and loading zones shall be authorized when approved by the Chief or designee. The Chief of Police or designee shall furnish hoods or caps, or window placards for use in nonmetered parking spaces, to those applicants who are eligible. Any person granted such loading zone privilege, who shall leave a meter capped or whose vehicle remains in the nonmetered parking space after the time as determined by the Chief of Police or designee shall be guilty of a violation.
- (B) For business purposes; fees. The Chief of Police or designee may issue hoods or caps for parking meters, or placards for use in nonmetered parking spaces, for a fee of Two Dollars (\$2.00) per day or Seven Dollars and Fifty Cents (\$7.50) per week, or Twenty-five Dollars (\$25.00) per month to all persons who make application therefor whenever in the opinion of the Chief of Police or designee the use of a hood or cap, or window placard is a practical necessity for short-term, construction or business purposes only. This special permit is not to be used for residential purposes or in lieu of any other parking permit process under this Chapter. A record of all hoods or caps, or placards issued and moneys collected shall be kept by the Police Department; and the moneys shall be turned over to the City Treasurer once a month for deposit in the parking meter fund.
- (C) Vehicles using this privilege shall comply with all rules and regulations governing parking within the City. Any placard used under this section shall be placed over the rearview mirror of the front windshield or in such other conspicuous place as the Police Department may designate, while the motor vehicle is in a parked position. If in the opinion of the Chief of Police, the privilege herein

authorized is misused by any applicant, the Chief shall forthwith revoke said privilege and repossess the hood or cap, or placard, and the balance of any fee paid for said privilege shall not be returnable.

- (D) Violation. No person shall park a vehicle in any loading zone or meter stall where the meter is capped, except persons operating under loading zone or meter capping, or placard privileges.

SECTION 27-44 PARKING OF VEHICLES

- (A) Proper parking and payment. When any vehicle shall be parked next to a parking meter, the owner or operator shall park within the area designated by the curb or street marking lines, and upon entering said parking space shall immediately deposit in the meter a coin or coins up to the amount needed for the maximum legal parking limit using denominations of coins and amounts thereof as prescribed on the face of the meter.
- (C) Overtime parking. Said parking space may then be used by such vehicle during the legal parking limit provided or such fraction thereof as the amount of the coins deposited bear to the cost of the legal limit; and said vehicle shall be considered as unlawfully parked if it remains in said space beyond the legal parking limit or such fraction thereof as the coin or coins deposited bear to the cost for the legal limit or when said parking meters display a signal showing illegal parking.
- (D) Proper Parking and Payment for Pay and Display Areas
When a vehicle is parked in a Pay and Display area, the owner or operator shall park within the area designated by the curb or street marking lines and upon entering said parking space shall immediately proceed to a Pay and Display machine to purchase a ticket for the needed time, which must be displayed in the vehicle according to the rules provided on the ticket or machine. Said parking space may then be used by such vehicle during the legal parking limit provided, and if said vehicle remains beyond the legal parking limit it shall be considered unlawfully parked.

SECTION 27-45 RESERVED (FORMERLY -TWO (2) HOUR METERED CITY OWNED PARKING LOT)

SECTION 27-46 PARKING PERMITS

- (A) Authority. The City Administration is authorized to issue parking permits in conformity with this Section. When properly displayed in or on vehicles, permits issued under this Section shall exempt such vehicles from the rate of parking. Vehicles displaying such permits shall comply with all other rules and regulations governing parking within the City.
- (B) Types of permits.
- (1) An annual permit may be used in any stall allowing permit parking during the 12-month time period and in the municipal parking areas indicated on the permit.
 - (2) A monthly permit may be used in any stall allowing permit parking during the month and in the municipal parking areas indicated on the permit.
 - (3) A daily permit may be used in any stall allowing permit parking during the date and in the municipal parking areas indicated on the permit.
- (C) Permit prices. The Common Council shall establish permit prices annually by March 1. These prices shall be valid until the last day of February of the following year.
- (D) Designation of spaces. The Common Council shall designate which spaces in public parking areas require parking permits, upon recommendations received from the Parking Utility Commission.

- (E) Proper parking and display. The owner or operator shall park within the area designated by street marking lines. Immediately upon parking the vehicle, the parking permit shall be displayed on the inside of the vehicle in accordance with the rules printed on the permit. Failure to properly display a permit will be subject to penalties under Sections 27-52 and 27-53 of the City of Oshkosh Municipal Code.
- (F) Permit validity. Parking permits shall be valid only for the date(s) indicated on the permit. Attempts to fabricate permits or re-use an expired permit will be subject to penalties under Sections 27-52 and 27-53 of the City of Oshkosh Municipal Code.
- (G) Revenues. All revenues collected from permit sales and permit-related violations shall be deposited to the Parking Utility Commission.

SECTION 27-47 RESERVED. (Formerly - MUNICIPAL PARKING RAMPS)

SECTION 27-48 PERMIT PARKING AREAS

The following areas are reserved for permit parking, as defined in Section 27-46, between the hours of 9:00a.m. and 6:00 p.m. daily, except on Sundays and holidays.

- (A) City-Owned Parking Lots
- (1) North Main Street/400 Block West Parking Lot; the perimeter stalls bordering Church Avenue, the four (4) most southerly stalls on the perimeter of the lot bordering Division Street, the two (2) most easterly stalls in the fourth east/west aisle south of Church Avenue, the four (4) most northwesterly stalls in the north/south aisle, and the five (5) stalls in the southeast corner facing towards Main Street, and the six (6) most southern stalls in the far west north/south row located adjacent to Algoma Boulevard.
 - (2) State Street Parking Lot, the four rows north of Waugoo Avenue in the eastern section of the lot, and the northern row of the center aisle adjacent to State Street.
 - (3) Jefferson Lot, the north-south row of stalls on the western side of the eastern driving aisle and the stalls between and including the fourth northernmost and seventh southernmost stalls bordering Jefferson Street on the eastern edge of the parking lot.
 - (4) Ceape Lot.
 - (5) Otter East Lot, excepting therefrom the four most northwesterly stalls.
 - (6) The Public Library Lot; the perimeter stalls on the northern edge of the lot, and the thirteen (13) most northerly stalls on the perimeter of the lot bordering Mt. Vernon Street.
 - (7) The Pearl Avenue Lot, except the easterly row of stalls.
 - (8) High Avenue Lot, except the east/west center row and the eastern row of stalls in the section of the lot adjacent to Pearl Avenue.
 - (9) Otter Lot, the southern row.
- (B) Municipal Streets and Alleys

Brown Street, west side, from 45 feet south of Algoma Boulevard to High Avenue

Jefferson Street, east side, from 39 feet north of Washington Avenue to 163 feet north of Washington Avenue

Mt. Vernon Street, west side, from 215 feet north of Washington Avenue to 235 feet north of Washington Avenue

Mt. Vernon Street, west side, from 304 feet north of Washington Avenue to 425 feet north of Washington Avenue

SECTION 27-49 LEASED PARKING STALLS

- (A) Residential Permits within the BID district. The following described parking areas are designated for vehicles with a valid residential parking permit and holders of such a permit shall be entitled to lease a designated stall. Enforcement of the residential parking stalls shall be all days 24 hours. Residential parking permits shall be issued to residents within the BID district boundaries.
- (1) Division Street Lot: the 8 most northerly stalls bordering Division Street
 - (2) Riverside Lot: The 20 stalls located in the northwest section, bordering the Convention Center property and Ceape Avenue.
- (B) Residential Permits outside the BID district. The following described parking areas are designated for vehicles with a valid residential parking permit and holders of such a permit shall be entitled to lease a designated stall at the rate of Thirty Dollars (\$30.00) per month. Enforcement of the residential parking stalls shall be all days 24 hours.
- (1) West 8th Avenue Lot: the two most northerly stalls on the west side of the middle row.
- (C) Daytime Permits. The following described parking areas are designated and established as parking areas to be leased on a monthly basis at the rate of Twenty Dollars (\$20.00) per month. Enforcement of the monthly parking stalls shall be between 7:00 a.m. and 6:00 p.m. except as otherwise provided herein.
- (1) Algoma Boulevard Lot: the westerly row of the second aisle and those stalls facing Brown Street.
 - (2) North Main Street/400 Block West Parking Lot: the stalls on the perimeter of the lot bordering Division Street except the four (4) most southerly stalls and the stalls on the perimeter of lot bordering Algoma Boulevard and the second east/west aisle south of Church Avenue.
 - (3) Recreational Gym Lot, between 7:00 a.m. and 4:00 p.m., except for the reserved spaces on the south end of the Lot.
 - (4) State Street Lot: the most southerly row and the southern row of the center aisle adjacent to State Street. The northern most row is reserved.
 - (5) West 9th Avenue Lot: the northerly most stall of the southerly most section on the east side, and the four most northerly stalls in the western row.
 - (6) West 8th Avenue Lot: the three easternmost rows of stalls.
- (D) Discounted Daytime Permits. The following described parking areas are designated and established as parking areas to be leased on a monthly basis. Each monthly permit shall cost \$20.00 per month, or fraction thereof, for 1-20 permits purchased. For greater than 20 permits purchased by a single source, each permit after the twentieth shall cost \$14.00 per month or fraction thereof. Each annual permit shall cost \$210.00 per year for 1-20 permits purchased. For

greater than 20 permits purchased by a single source, each permit after the twentieth shall cost

(1) High Avenue Lot: the east/west center row and the 23 stalls adjacent to Pearl Avenue.

(E) Leased Space Fees. The Common Council shall establish leased space fees for parking spaces leased under this section annually by March 1. These prices shall be valid until the last day of February of the following year.

SECTION 27-50 WEST 8TH AVENUE PARKING LOT

(A) The four (4) parking stalls in the most westerly row from the third most northerly stall to the sixth most northerly stall shall be for permit parking only, as defined in Section 27-46.

(B) (Repealed 7/14/09)

SECTION 27-51 WEST TENTH AVENUE PARKING LOT

The Tenth Avenue Lot shall be four (4) hour parking, Monday through Friday between 7:00 a.m. and 6:00 p.m. except for the western row of the center aisle, which shall be monthly parking between 7:00 a.m. and 6:00 p.m. at a fee of \$12.00 per month.

ARTICLE VII. ENFORCEMENT OF PARKING RESTRICTIONS

SECTION 27-52 ENFORCEMENT OF PARKING RESTRICTIONS

Traffic officers observing violations of the parking restrictions specified within this chapter may issue parking tickets which shall be attached to the vehicle parked in violation. Each parking ticket shall specify:

- (a) the number of the parking meter which indicates that the vehicle occupying the parking space adjacent to such parking meter is or has been parking in violation of the provisions of this article or other identification of the location of the vehicle parking in violation of the provisions of this chapter.
- (b) the license number and state of licensing of the vehicle.
- (c) the time at which such vehicle is parking in violation of the provisions of this chapter.
- (d) any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending to the violation.

SECTION 27-52

(A) Every time period that a vehicle remains in excess of the posted limit will constitute a new violation. In areas where the time limit is greater than 15 minutes and is less than one hour, regulated by parking meters or by sign, a separate violation occurs every hour that the vehicle remains in violation.

SECTION 27-53 BASIC PENALTIES FOR VIOLATIONS UPON ISSUANCE OF PARKING TICKET

(A) Parking Violations. The basic penalty for violation of the listed parking violations shall be as follows:

No parking 2 a.m. to 5 a.m.....	\$15
Parked on private property	\$15

Prohibited parking (signed)	\$15
Overtime parking violation	\$11
Failure to properly display permit.....	\$15
Fraudulent use of parking permit.....	\$30
Disabled Parking Violation	\$50
Fire lanes	\$50
Other violations	\$15

(B) Pay and Display Violation: Penalties for violations of pay and display stations owned by the University of Wisconsin-Oshkosh and installed on City streets are established by the University of Wisconsin-Oshkosh pursuant to the authority granted to the Board of Regents of the University of Wisconsin system under sections 20.285(1)(h), 36.11(8)(a) and 36.11(9)(b) Wis. Stats. and in turn granted by the Board of Regents to the chancellor. It is the intention of this ordinance to include by such reference all provisions in effect at the time of the adoption of this ordinance or future amendments, revisions or recodification effective upon adoption by the Board of Regents of the University of Wisconsin System.

SECTION 27-54 PAYMENT OF PARKING VIOLATIONS; TIME LIMITS; FAILURE TO PAY PARKING TICKETS

Each owner or operator shall, within 120 hours after 4:00 p.m. of the day of the following enumerated violations, pay to the City as a penalty for and in full satisfaction of such violation, basic penalty established for the violation as enumerated in section 27-53. Each such owner or operator shall, after said 120 hour period, pay an additional penalty of Three Dollars (\$3.00). However, if the penalty is not paid within 15 days after 4:00 p.m. of the day of the violation, each such owner or operator shall then pay an additional penalty of Thirteen Dollars (\$13.00); except that if the penalty is not paid within forty-five (45) days after 4:00 p.m. of the day of the violation, each such owner or operator shall pay a penalty of Twenty-three Dollars (\$23.00). The failure of such owner or operator to make such payment shall render such owner or operator subject to the penalties hereinafter provided for violation of the provisions of this section. Each time a designated parking period limit is exceeded, even though such violations shall be consecutive, shall constitute a separate violation.

For tickets issued by UW-Oshkosh authorized “traffic officers”, the penalties are established by the University of Wisconsin-Oshkosh pursuant to the authority granted to the Board of Regents of the University of Wisconsin system under sections 20.285(1)(h), 36.11(8)(a) and 36.11(9)(b), Wis. Stats. and in turn granted by the Board of Regents to the chancellor. It is the intention of this ordinance to include by such reference all provisions in effect at the time of the adoption of this ordinance or future amendments, revisions or recodification effective upon adoption by the Board of Regents or the University of Wisconsin system.

SECTION 27-55 TRAFFIC VIOLATIONS AND REGISTRATION PROGRAM

In addition to all other methods of collecting parking fines provided for in this Section, the proper City officials are hereby authorized and directed to use the procedures provided for in Section 345.28 of the Wisconsin Statutes and to take all actions authorized under said Section with regard to suspension of the registration of motor vehicles with unpaid citations.

SECTION 27-56 ALTERNATE PROCEDURE

In lieu of the foregoing provisions, a person who has been issued a parking ticket for violation of this article may request a hearing regarding such violation. The person shall be issued a summons and citation and such proceedings shall thereafter be governed by §345.34 to 345.47 Wis. Stats.

ARTICLE VIII. BICYCLE AND IN-LINE SKATES REGULATIONS**SECTION 27-57 BICYCLE REGISTRATION REQUIRED**

No person who resides within the City limits shall operate a bicycle upon any street, bicycle way, public right-of-way or sidewalk within the City without having first registered and licensed the bicycle as provided in this Article. No parent or guardian of any child shall authorize, allow or knowingly permit such child to operate a bicycle within the City unless said bicycle is first registered and licensed as provided in this Article.

SECTION 27-58 BICYCLE REGISTRATION PROCEDURE

Registration shall be made by filing an application with the City Treasurer setting forth the name and address of the owner, together with a complete description of the bicycle, and paying the registration and license fee hereinafter provided. Each registration shall be serially numbered and kept on file in the office of the City Treasurer, and a list thereof furnished to the Police Department. The City Treasurer shall keep a record of the date of issuance of each license, to whom issued, and the number thereof. Upon such registration, the City Treasurer shall issue a license sticker which shall be affixed to the seat post mast of the bicycle. Such license sticker shall remain so fixed to the bicycle unless removed by order of the Chief of Police or circuit court for cause.

SECTION 27-59 BICYCLE LICENSING AND REGISTRATION

The Registration and license fee to be paid for each bicycle shall be Three Dollars (\$3.00). Bicycles shall be registered within 30 days after either: 1) the date the bicycle is purchased; or 2) the date the bicycle is brought into the City. All such license fees shall be paid to the Bicycle Fund. Said registration shall be permanent, lasting the lifetime of the bicycle or until ownership is transferred.

SECTION 27-60 ILLEGIBLE STICKER; REPLACEMENT STICKER

In the event a bicycle license sticker is lost, stolen, mutilated, defaced or otherwise illegible, a replacement license sticker shall be obtained from the City Treasurer for a fee of Three Dollars (\$3.00). If a bicycle is stolen and a timely police report has been filed, the replacement fee shall be One Dollar (\$1.00). Any illegible sticker shall be deemed a violation of Section 27-57 of this Article.

SECTION 27-61 MUTILATION OF STICKER OR SERIAL NUMBER

It shall be unlawful for any person to willfully or maliciously remove, destroy, mutilate or alter the serial number of any bicycle frame licensed pursuant to this ordinance, or any license sticker.

SECTION 27-62 TRANSFER OR CANCELLATION

Within ten (10) days after any bicycle registered hereunder shall have changed ownership or be dismantled and taken out of use, the person in whose name the bicycle has been registered shall report such information to the City Treasurer. In case of change of ownership, the registration shall thereupon be canceled and new license issued to the new owner upon proper application and payment of a Three Dollars (\$3.00) registration fee. In case of dismantling and taking out of operation or use, the registration shall be canceled and the license sticker returned to the City Treasurer.

SECTION 27-63 GENERAL REGULATIONS FOR BICYCLISTS

Every license issued hereunder shall be deemed to be granted subject to the following conditions:

- (A) State laws applicable. Every person propelling or riding a bicycle upon a public roadway shall be subject to the provisions of all ordinances and State laws applicable to the operator of any vehicle, except those provisions with reference to equipment of vehicle and except those provisions which by their nature would have no application.
- (B) Riding bicycle on sidewalk or walkway. Every person operating a bicycle upon a sidewalk or walkway shall yield the right-of-way to any pedestrian and shall exercise due care and give an audible signal when passing a bicycle rider or pedestrian proceeding in the same direction. No person shall operate a bicycle upon any sidewalk or other area designated under section 27-66 of this municipal code as a prohibited area for skateboards.
- (C) Bicycle riders to stay on right side of road. Every bicycle when operated on a public roadway shall be kept as close to the right hand curb as possible, except where bicycle lanes designate otherwise.
- (D) Reserved.
- (E) Clinging to moving vehicles prohibited. It shall be unlawful for any person riding upon a bicycle to cling to or attach him/herself or the bicycle to any other moving vehicle upon a public roadway.
- (F) Passengers and towing. In addition to the operator, a bicycle otherwise designed to carry only the operator may be used to carry or transport a child seated in an auxiliary child's seat or trailer designed for attachment to a bicycle if the seat or trailer is securely attached to the bicycle according to the directions of the manufacturer of the seat or trailer.
- (G) Racing prohibited. No person operating a bicycle upon a public roadway shall participate in any race or speed or endurance contests with any other vehicle.
- (H) Acrobatic riding prohibited. No rider of any bicycle shall remove both hands from the handlebars, or feet from the pedals, or practice any acrobatic or fancy riding on any public roadway, sidewalk, public parking lot, or private parking lot without permission of the owner.
- (I) Riders to observe traffic regulations. Every person operating a bicycle upon a public roadway shall stop for all arterial and automatic traffic signals.
- (J) Turns and signals. No person shall turn a bicycle at an intersection unless the bicycle is in proper position upon the public roadway, or turn to enter a private road or driveway unless the bicycle is in proper position on the roadway as required, or otherwise turn a bicycle upon a roadway, unless and until such movement can be made with reasonable safety. In the event other traffic may be affected by such movement, no person shall so turn any bicycle without giving an appropriate signal in the manner provided. Such signal shall be given continuously during not less than the last one hundred (100) feet traveled by the bicycle before turning. When given by hand and arm, such signals shall be given from the left side of the bicycle in the following manner and shall indicate as follows:
 - (1) Left turn -- Hand and arm extended horizontally.
 - (2) Right turn -- Hand and arm extended upward.
 - (3) Stop or decrease speed -- Hand and arm extended downward.
- (K) No parking on sidewalks. No such bicycle shall be parked in front of or adjacent to any commercial or industrial establishment unless the bicycle is parked on the sidewalk parallel to the street and is

properly fastened or chained to a municipal parking meter. There shall be no more than two (2) bicycles fastened to any single meter.

- (L) Display of license stickers. Every bicycle when operated upon the public roadway shall have in conspicuous display on the seat post mast of the bicycle a license sticker issued for that bicycle. Location of the license sticker on any other part of the bicycle shall be termed a violation of this ordinance.
- (M) One-way Streets. Every person while operating a bicycle on a one-way street shall operate said bicycle single file in the direction of the one-way traffic.

SECTION 27-64 REQUIRED EQUIPMENT FOR BICYCLES

- (A) Lights required. Every bicycle operated upon the public roadways and sidewalks of the City between a half-hour after sunset and a half-hour before sunrise shall be equipped with a lamp firmly attached or affixed on the front of such vehicle, exhibiting a white light visible from a distance of at least five hundred (500) feet to the front, and with a lamp on the rear, exhibiting a red light visible from a distance of five hundred (500) feet to the rear, except that a red reflector approved by the Industrial Commission of the State of Wisconsin may be used in lieu of a rear light.
- (B) Brakes required. Every bicycle when operated upon a public roadway or sidewalk shall be equipped with a brake adequate to control the movement of and to stop such vehicle whenever necessary. Such brake shall be maintained in good working order at all times.

SECTION 27-65 GENERAL REGULATIONS FOR USE OF IN-LINE SKATES

- (A) State laws applicable. Every person using in-line skates upon a public roadway shall be subject to the provisions of all ordinances and State laws applicable to the operator of any vehicle, except those provisions with reference to equipment of vehicle and except those provisions which by their nature would have no application.
- (B) Sidewalks or walkways. Every person using in-line skates upon a sidewalk or walkway shall yield the right-of-way to any pedestrian and shall exercise due care when passing any other persons proceeding in the same direction.
- (C) In-line skaters to stay on right side of road. Every person using in-line skates on a public roadway shall keep as close to the right hand curb as possible.
- (D) Clinging to moving vehicles prohibited. It shall be unlawful for any person using in-line skates to cling to or attach to any bicycle or other moving vehicle upon a public roadway.
- (E) Observance of traffic regulations. Every person using in-line skates upon a public roadway shall stop for all arterial and automatic traffic signals.
- (F) One-way Streets. Every person using in-line skates upon a one-way street shall proceed in the direction of the one-way traffic.
- (G) Operating two (2) abreast prohibited. Every person when using in-line skates upon a public roadway shall proceed in single file only.
- (H) Yielding to Traffic. The operator of a vehicle shall yield the right-of way to a user of in-line skates in the same manner as for Bicyclists and pedestrians under sections 346.23, 346.24, 346.37 and

346.38 of the Wisconsin Statutes. Every person when using in-line skates shall, upon entering a public roadway, yield the right-of-way to motor vehicles, except that a person using in-line skates shall be subject to the same regulations as bicyclists and pedestrians under sections 346.23, 346.24, 346.37 and 346.38 of the Wisconsin Statutes.

SECTION 27-66 SKATEBOARD REGULATIONS

- (A) No person shall operate, ride or propel a skateboard on any property stated in this subsection.
- (1) on any public parking ramp or parking lot or an any other municipally owned property, except in the skateboard park located in Red Arrow park and all other parks unless signs are posted prohibiting it.
 - (2) On public or private property including parking lots, parking ramps, sidewalks, or any other property where signs are posted prohibiting skateboarding. For property to be posted, a sign at least 11 inches square must be placed in a conspicuous place on the property. The sign must carry an appropriate notice and the name of the person giving the notice followed by the word "owner" if the person giving the notice is the holder of legal title to the land, and by the word "occupant" if the person giving the notice is not the holder of legal title but is the lawful occupant of the land or is in lawful possession thereof.
- (B) Sidewalks or walkways. Every person using a skateboard upon a sidewalk or walkway shall yield the right-of-way to any pedestrian and shall exercise due care when passing any other persons proceeding in the same direction.

ARTICLE IX. PENALTIES.

SECTION 27-67 PENALTIES

Every person convicted of a violation of any of the provisions of the following enumerated Sections of this Chapter shall for each offense be punished by the forfeitures as set forth, together with the costs of prosecution and in default of payment of such fines and costs, by suspension of operating privileges or by imprisonment in the County Jail for Winnebago County for the terms hereinafter stated:

- (A) General Penalty - Adults. Any adult person who violates any provision of this Chapter for which a specific penalty is not provided below shall be subject to a forfeiture of not less than Seventy-five Dollars (\$75.00) nor more than Five Hundred Dollars (\$500.00), together with the costs of prosecution, and in default of payment thereof by imprisonment for not exceeding sixty (60) days.
- (B) General Penalty - Juveniles. Any juvenile person who violates any provision of this Chapter for which a specific penalty is not provided below shall be subject to a forfeiture of not less than Fifty dollars (\$50.00).
- (C) Bicycle Violations - Adults. A forfeiture of not less than fifteen dollars (\$15.00) nor more than five hundred dollars (\$500.00) and in default of payment thereof suspension of operating privileges for a period not exceeding 60 months for a violation of any of the following:

Sections 27-57 through 27-64

- (D) Bicycle Violations - Juveniles. A forfeiture of not less than fifteen dollars (\$15.00) nor more than five hundred dollars (\$500.00) and in default of payment thereof suspension of operating privileges for a period not exceeding 60 months for a violation of any of the following:

Sections 27-57 through 27-64

- (E) In-line Skate Violations - Adults. A forfeiture of not less than ten dollars (\$10.00) nor more than fifteen dollars (\$15.00) and in default of payment thereof suspension of operating privileges for a period not exceeding 60 months for a violation of any of the following:

Section 27-65

- (F) In-line Skate Violations - Juveniles. A forfeiture of not less than ten dollars (\$10.00) nor more than fifteen dollars (\$15.00) and in default of payment thereof suspension of operating privileges for a period not exceeding 60 months for a violation of any of the following:

Section 27-65

- (G) Adoption of State of Wisconsin Revised Uniform State Traffic Deposit Schedule. The penalties pertaining to violation of state traffic codes, adopted under section 27-7 of this municipal code, as promulgated by the Wisconsin Judicial Conference, specifically the Revised Uniform State Traffic Deposit Schedule, together with any future additions, deletions or supplements thereto, are herewith incorporated as part of this Chapter with the same force and effect as though set forth in full herein.