

ORDINANCE NO. 8-21

STATE OF WISCONSIN
TOWN OF NORTH BEND
JACKSON COUNTY

THE TOWN BOARD OF THE TOWN OF NORTH BEND HEREBY ORDAIN AS FOLLOWS:

SECTION I – TITLE AND PURPOSE

The title of this ordinance is the *Town of North Bend Parking Regulations Ordinance*. The purpose of this ordinance is for the town to regulate parking in and on highways under the municipal jurisdiction of the town.

SECTION II – AUTHORITY

The town board of the town has the authority under s. 60.10 and 60.10(2)(c), Wis. stats., and general authority under its village powers under s. 60.22, Wis. stats., to adopt this ordinance.

SECTION III – ADOPTION OF ORDINANCE

This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, sets forth parking regulations on all town highways.

SECTION IV – ABANDONED VEHICLE ON PUBLIC HIGHWAY OR PROPERTY

The time period for a vehicle to be deemed abandoned and constituting a public nuisance under sec. 342.40, Stats., is hereby determined to be 48 hours. The Town Chair or the Town Chair's designee (which designation shall be done in writing and filed with the Town Clerk) is authorized to make the determinations under sec. 342.40, Stats. In addition to the prohibitions contained in sec. 342.40, Stats., the Town prohibits any person from abandoning a snowmobile, utility terrain vehicle, or all-terrain vehicle on any public highway or public property.

SECTION V – PARKING REGULATIONS AND VIOLATIONS

(a) Parking Provisions Adopted. The parking provisions of Chapters 340 through 350 of the Wisconsin Statutes are hereby adopted and are incorporated herein as if fully set forth. Any act required to be performed or prohibited by any provision incorporated herein is required to be performed by this section. Any future amendment of said Chapters that relates to parking is hereby adopted and is incorporated herein as if fully set forth as of the effective date of that future amendment.

(b) Parking Violations Prohibited. No person may park any vehicle in violation of this subsection.

(c) Emergency Parking Regulations. Any law enforcement officer acting on behalf of the Town and any person designated by the Town Board (by Resolution) may regulate the parking and the movement of traffic in emergency situations, including street maintenance and snow removal. Such person or persons shall give notice of such parking restrictions by placing appropriate signs in the areas in which such restrictions will be in effect.

(d) Winter Parking Regulation. When signs have been erected at or reasonably near the corporate limits as provided in Wisconsin Statutes § 349.13, no person shall park a vehicle on North Bend Drive from State Highway 54 to the intersection of Back Street between the hours of 3:00am and 6:30am from November 1st until March 31st for the purpose of snow removal. Violations of this subsection on Winter Parking shall result in a forfeiture in the amount of \$10.00 if paid within five (5) days of issuance, \$20.00 if paid after five (5) days, and \$30.00 if paid after twenty-eight (28) days.

(e) Procedure. Any parking citation issued pursuant to this subsection shall be a citation form prepared by the Town. Citations may be issued by the Town Chairman or his/her designee, which designee shall include the Town Patrolman/Maintenance Person unless such designee is rescinded in writing by the Town Chairman. If payment for any such citation is received by the Town within twenty-eight (28) days of issuance of the citation, the citation shall not be filed with or transmitted to the Circuit Court and no court costs shall be payable. If payment for any such citation is not received by the Town within 28 days of issuance of the citation, the citation shall be filed with or transmitted to the Circuit Court for processing and, if a forfeiture is imposed pursuant to the citation, court costs also shall be imposed.

The Town may also use the TRAFFIC VIOLATION AND REGISTRATION PROGRAM ("TVRP") procedures set forth in Section VII herein, by sending two (2) notices of the citation to the registered owner of such vehicle, and if, after twenty eight (28) days the parking citation remains unpaid, the Town may tell the DMV to suspend the registration of the vehicle involved in the unpaid parking ticket and/or refuse registration for all vehicles registered to the same owner as per the TVRP.

SECTION VI – TOWING

Any vehicle parked in violation of any part of this ordinance or any other ordinance may be towed at the direction of the Town Chairman, or his/her designee, or any law enforcement officer acting on behalf of the Town. The authorized official may order a motor carrier holding a permit to perform vehicle towing services, a licensed motor vehicle salvage dealer, or a licensed motor vehicle dealer who performs vehicle towing services to remove and store such vehicle in any storage garage or rental parking grounds, or any facility of the person providing the towing services.

The owner of any towed vehicle shall pay the reasonable costs of having the vehicle towed and stored and Section VII below shall apply for unpaid towing and storage fees.

SECTION VII – TRAFFIC VIOLATION AND REGISTRATION PROGRAM ("TVRP")

The Town elects to participate in the Wisconsin Department of Transportation program that allows for suspending and/or refusing the registration of a vehicle as a consequence of any unpaid forfeiture for any nonmoving traffic violation. The Town will pay the costs assessed by the Wisconsin Department of Transportation to the Town for the Town's participation in the program; such costs shall be assessed by the Town against the person charged with the nonmoving traffic violation. The "authority" described as a part of the program shall be any Town official who was authorized to have issued the citation for the nonmoving traffic violation.

SECTION VIII – PENALTY PROVISION

Excepts as set forth otherwise herein, any person, partnership, corporation, or other legal entity that fails to comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture of not less than \$50.00 nor more than \$500.00, plus the applicable surcharges, assessments, and costs for each violation. Each day a violation exists or continues constitutes

a separate offense under this ordinance. In addition, the town board may seek injunctive relief from a court of record to enjoin further violations. The Town shall be allowed to change the forfeiture amounts by Resolution.

SECTION IX – SEVERABILITY CLAUSE

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

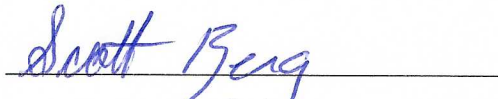
SECTION X – EFFECTIVE DATE

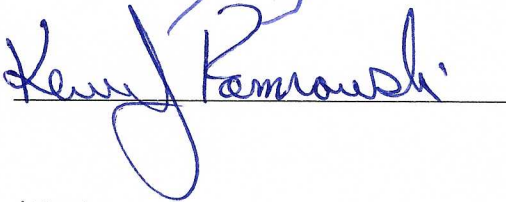
This ordinance is effective on publication or posting. The town clerk shall properly post or publish this ordinance as required under s. 60.80, Wis. stats.

Adopted this 11th day of August, 2021.

In Favor:







Opposed:

Attest:


Town Clerk