

CHAPTER 3

VEHICLES¹

- 3.01 Parking - Snow
- 3.02 Restricting Parking Upon The Streets, Alleys Or Public Lands Of The Village Of Oostburg
- 3.03 Use Of Snowmobiles And All Terrain Vehicles Within The Village Limits
- 3.031 Use Of In-Line Skates Within The Village Limits
- 3.032 Skateboards And Other Play Vehicles
- 3.04 Adoption Of State Traffic Laws, Provision Of State Law Adopted By Reference
- 3.05 Stipulation Of Guilt Or No Contest
- 3.06 Deposits
- 3.07 Notice Of Demerit Points And Receipt
- 3.08 Forfeitures In Treasury
- 3.09 Issuance Of Notices For Parking Violations
- 3.10 Parking Regulations – Specific Locations
- 3.11
- 3.12
- 3.13
- 3.14
- 3.15 Adoption of State Law by Reference Relating to Prohibiting Any Unregistered Motor Vehicle From Being Located on a Village Highway, and Governing the Immobilization, Removal and Disposal of Unregistered Motor Vehicles

3.01 Parking - Snow²

- (1) No person shall park on any public street in the Village of Oostburg between the hours of 2:00 o'clock A.M. and 6:00 o'clock A.M. between the dates of December 1 to April 1.
- (2) Penalty -

The penalty for violation of this section shall be as provided in Section 1.05.

3.02 Restricting Parking Upon The Streets, Alleys Or Public Lands Of The Village Of Oostburg³

¹Adopted as a part of the "Partial General Ordinances of the Village of Oostburg". Adopted March 24, 1982, Published March 29, 1982. See Minutes of the Village Board, Vol. 6, pg. 625.

²Section 3.01 added by Ordinance 2-1986, adopted December 8, 1986, See Minutes of the Village Board, Vol. 6, pg. 732, 732-A.

³Section 3.02 amended by Ordinance 2-1996, adopted July 8, 1996. See Minutes of the Village Board, Vol. 11, pg. 1112.

- (1) The following shall not be parked or stored upon any street, alley or public lands, excepting vehicles making a delivery, pick-up, or parked for an emergency purpose:
 - (a) No truck larger than three quarter ton,
 - (b) No bus of any kind,
 - (c) No recreational vehicles either motorized or towed,
 - (d) No trailers of any kind, including utility, sport, boat or camping, except that business and/or construction related trailers for work or services being performed upon adjacent property may temporarily be parked upon Village streets provided that any such trailer must be parked as close as possible to the curb and must contain reflective devices on all sides. In lieu of reflective devices, reflective barricades can be placed on each end of the trailer.⁴
 - (e) Any dumpster placed on a Village street must be placed as close as possible to the curb and must utilize reflective devices on all sides. In lieu of reflective devices, reflective barricades can be placed on each end of the dumpster.
 - (f) Landscaping and building materials are prohibited on the roadway per ss. 86.04 & 86.05 WI Stats.
- (2) Penalty -
Any person who shall violate this section shall pay a forfeiture not to exceed One-Hundred (\$100.00) Dollars.

3.03 Use Of Snowmobiles And All Terrain Vehicles Within The Village Limits

- (1) No person shall operate a snowmobile, mini bike or other all terrain vehicles at any time at any of the following locations within the Village of Oostburg:
 - (a) In the public park known as "Veterans Park";
 - (b) In or upon any Village owned property;
 - (c) Upon any private owned property without the consent of the owner or occupiers of said property.
- (2) No person, firm or corporation shall operate a snowmobile after the hour of 12:30 o'clock A.M. within the Village of Oostburg.
- (3) Definition - All Terrain Vehicles and Minibikes: means any self-propelled device for moving persons or property from one place to another.
- (4) Penalty -
Persons violating this section shall pay a forfeiture of not less than Ten (\$10.00) Dollars nor more than One-Hundred (\$100.00) Dollars.

3.031 Use of In-Line Skates Within The Village Limits⁵

- (1) Definition - In-line skates means skates with wheels arranged singly in a tandem rather in pairs.
- (2) Use Restrictions - The use of in-line skates shall be prohibited upon the roadways in the following areas, except when crossing the roadway at the crosswalk.
 - (a.) Center Avenue from it's intersection with 9th Street to it's intersection with 11th Street.

⁴ Amended by Ordinance 14-1998, adopted December 14, 1998. See Minutes of the Village Board, Vol. 12, pg. 1169.

⁵ Adopted through Ordinance 2-1996 on August 12, 1996. See the Minutes of the Village Board Vol. 11, Page 1114.

- (b.) 10th Street from it's intersection with Park Avenue to it's intersection with Superior Avenue.
- (3) Skating On Unrestricted Roadways
 - (a.) Every person using in-line skates upon a public roadway shall be subject to the provisions of all ordinances and laws applicable to the operator of any vehicle, except those provisions, which by their nature have no application.
 - (b.) Persons using in-line skates upon a roadway shall skate single file on all public roadways which have a center line or which have lines indicated by paint or other marking. On public roadways and alleys not divided by paint or other markings, in-line skaters may skate two abreast.
 - (c.) Every person using in-line skates on a two way public street or alley shall keep as close to the right hand side of the road as possible and shall proceed in the direction of traffic flow. Persons using in-line skates upon a one-way public street or alley shall proceed in the direction of the one-way traffic flow.
 - (d.) Persons using in-line skates upon a public road or alley shall not impede the normal and reasonable movement of motor vehicle traffic.
 - (e.) 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 roadway.
 - (f.) Every person using in-line skates upon a public roadway shall stop for all stop signs and traffic signals in the same manner as is required for motor vehicles.
 - (g.) Persons 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 pursuant to § 346.23, 346.24, 346.37 and 346.38 Wis. Stats.
- (4) Riding On 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 person.
- (5) Skating after dark - In-line skating on public roadways and alleys after dark shall be prohibited.
- (6) Penalties - The penalty for the first violation of this section shall be \$10.00 (Ten Dollars) and \$25.00 (Twenty-five Dollars) for all subsequent violations.

3.032 Skateboards And Other Play Vehicles⁶

- (1) Definition. For purposes of this section, 'play vehicle' shall include skateboards, scooters, roller blades, in-line skates, roller skates, roller skis, or similar push, gravity, or articulated operating devices that can be manipulated, operated or otherwise used as some form of conveyance for one or more persons. Bicycles and tricycles are specifically excluded from this definition.
- (2) No person shall operate, ride or park a play vehicle as follows:
 - (a) In or on any non-residential property in the downtown area between 9th and 10th Streets, from Center Avenue north approximately 1.5 blocks to the northernmost driveway and parking area of the Village Exchange (118 N 9th Street) on the east, and including the historical center park on the west.
 - (b) On any private property, unless permission has been given by the owner or the person in charge of the property.

⁶ Adopted through Ordinance 2-2004 on June 14, 2004. See the Minutes of the Village Board Vol. 16, Page 1358.

- (3) Any person who violates this section shall be subject to forfeiture as set forth in Section 1.05.

3.04 Adoption Of State Traffic Laws Provision Of State Law Adopted By Reference

Except as otherwise specifically provided in this code, the statutory provisions in Chapter 340 to 348, of the Wisconsin Statutes, describing and defining regulations with respect to vehicles and traffic, inclusive of any provisions therein relating to forfeitures to be imposed and exclusive of any regulations for which the statutory penalty is a term of imprisonment without a forfeiture, are hereby adopted and by reference made a part of this code as if fully set forth herein. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made a part of this code in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the State of Wisconsin.

Section of Chapters 340 to 350 adopted by reference shall include but not be limited to the following:

Statute Reference	Violation Reference	Penalty Reference (Wis. Stats.)
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MISCELLANEOUS PROVISIONS

340.01	Words and Phrases Defined	
343.01	Words and Phrases Defined	
341.11	Display of Registration Plates	341.11(4)
341.15	Display of Registration Plates	341.15(3)
341.16	Issuance of Duplicate Plates	341.15(4)
341.42	Reciprocity Permits	341.42(4)
341.55	Misuse of Plates	341.55

GENERAL PROVISIONS AND TRAFFIC FORFEITURE ACTIONS

345.11	Uniform Traffic Citation and Complaint	
345.20 through 345.53	General Provisions in Traffic Forfeiture Actions	
346.01	Applicability of Chapter 346	
346.02	Applicability of Rules of the Road to Authorized Emergency Vehicles	
346.04(1)(2)	Obedience to Traffic Officers, Signs and Signals	346.17(1)

TRAFFIC, MEETING, OVERTAKING AND PASSING

346.05	Driving on Right Side of Road	346.17(2)
346.06	Meeting of Vehicles	346.17(1)
346.07(2)(3)	Overtaking and Passing on Left	346.17(2)
346.08	Overtaking and Passing on Right	346.17(2)
346.09	Limitations on Overtaking and Driving on Left	346.17(2)
346.10	Passing at Railroad Crossing or Intersection	346.17(2)
346.11	Passing or Meeting Frightened Animals	346.17(2)
346.12	Driving Through Safety Zones	345.17(1)
346.13(1)(3)	Driving on Roadway Laned for Traffic	346.17(1)
346.13(2)	Driving in Center Lane	346.17(2)
346.14	Distance Between Vehicles	346.17(2)
346.15	Driving on Divided Highway	346.17(2)
346.16	Controlled Access Highway	346.17(2)

RIGHT OF WAY

346.18	General Rules of Right of Way	346.22(1)
346.19	Emergency Vehicle Right of way	346.12(2)
346.20	Funeral Procession and Convoys	346.22(3)
346.21	Livestock Right of Way	346.22(3)

PEDESTRIANS' AND DRIVERS' RIGHTS AND DUTIES

346.23	Crossing Controlled Intersection or Crosswalk	346.30(1)
346.24(1)	Crossing Uncontrolled Intersection or Crosswalk	346.30(2)
346.24(2)	Pedestrian Leaving the Curb and Running Into Path of Vehicle	346.30(1)
346.24(3)	Operator of Vehicle Approach From Rear Not to Overtake Vehicle Stopped for Pedestrian Movement	346.30(2)
346.25	Crossing at Place Other than Crosswalk	346.30(1)
346.26	Blind Pedestrian on Highway	346.30(3)
346.27	Persons Working on Highway	346.30(3)
346.28	Pedestrians to Walk on Left Side of Highway; Pedestrians on Sidewalks	346.30(1)
346.29	When Standing or Loitering in Roadway or on Highway Prohibited, Turning and Stopping and Required Signals	346.30(1)
346.31	Required Position and Method of Turning at Intersection	346.36
345.32	Required Position for Turning into Private Road or Driveway	346.36
346.33	Where Turns Prohibited	346.36
346.34	Turning Movement and Required Signals on Turns and Stops	346.36
346.35	Method of Giving Signals on Turning and Stopping	346.36

TRAFFIC SIGNALS, SIGNALS AND MARKINGS

346.37	Traffic Controlled Signals	346.43(1)
346.38	Pedestrian Controlled Signals	346.43(1)
346.39	Flashing Signals	346.43(1)
346.40	Whistle Signals	346.43(1)
346.41	Display of Unauthorized Signs and Signals Prohibited	346.43(3)
346.42	Interference With Signs and Signals Prohibited	346.43(2)

REQUIRED STOPS

346.44	All Vehicles to Stop at Signal Indicating Approach of Train	346.49(2)
346.45	Certain Vehicles to Stop At All Railroad Crossings	346.49(2)
346.46	Vehicles to Stop At Stop Signs	346.49(2)
346.47	When Vehicles Using Alley or Non-highway Access To Stop	346.49(1)
346.48	Vehicles to Stop For School Buses, Loading or Unloading Children	46.49(2)

RESTRICTIONS ON STOPPING AND PARKING

346.50	Exceptions to Restrictions	
346.51	Stopping, Standing or Parking Outside of Business or Residence Districts	346.56(2)
346.52	Stopping Prohibited in Certain Specified Places	346.56(1)
346.53	Parking Prohibited in Certain Specified Places	346.56(1)
346.54	How To Park and Stop on Streets	346.56(1)
346.55(1)	Unlawful Parking	346.56(2)
346.55(3)	No Parking Without Owners Consent	346.56(2)
346.55(4)	Parking on Private Property With "No Parking" Sign	346.56(1)

SPEED RESTRICTIONS

346.57(1)	Definitions	
346.57(2)	Reasonable and Prudent Limit (First Offense Within a Year)	346.60(3)
346.57(3)	Conditions Requiring Reduced Speed (First Offense Within a Year)	346.60(3)
346.57(4) (a) to (c)	15 m.p.h. Under Certain Conditions (First Offense Within a Year)	346.60(3)
346.57(4)(d)	15 m.p.h. in Alleys	346.60(2)
346.57(4)(e)	25 m.p.h. in Village	346.60(2)
346.57(4)(f)	35 m.p.h. in Outlying Districts	346.60(2)
346.57(4)(i)	15 m.p.h. Under Certain Conditions	346.60(2)
346.57(5)	Zoned and Posted Limits	346.60(2)
346.58(1)	Special Speed Restrictions For Certain Vehicles	346.60(2)
346.59	Minimum Speed Regulation	346.60(1)
346.595	Motor Driven Cycles	346.60(4)

RECKLESS DRIVING

346.61	Applicability of Sections Relating to Reckless Driving	
346.62(1)	Reckless Driving - (First Offense in 4 Years)	346.65(1)

BICYCLES AND PLAY VEHICLES

346.77	Responsibility of Parent or Guardian for Violation of Bicycle and Play Vehicle Regulations	386
346.78	Play Vehicles Not to Be Used on Roadway	346.82(2)
346.79(1)(2)(3)	Rules Applicable to Bicycles	346.82(1)
346.79(4)	Hitching Ride With Bicycle	346.82(2)
346.80	Rules For Riding Bicycle on Roadway	346.82(1)
346.81(1)	Lighting Equipment on Bicycles	346.83(3)
346.81(2)	Brake and Signal Equipment on Bicycles	346.82(1)

MISCELLANEOUS RULINGS

346.87	Limitations on Backing	346.95(1)
346.88	Obstruction of Operator View	346.95(1)
346.89(1)	Inattentive Driving	346.95(2)
346.89(2)	Television Forbidden in Vehicles	346.95(1)
346.90	Following Emergency Vehicle	346.95(1)
346.91	Crossing Firehose	346.95(1)
346.92	Illegal Riding	346.95(1)
346.93	Intoxicants in Vehicle Carrying Minor	346.95(2)
346.94(1)	Driving on Sidewalk	346.95(1)
346.94(2)	Racing	346.95(2)

346.94(3)	Leading Animal From Vehicle	346.95(1)
346.94(4)	Throwing Missiles in Vehicles	346.95(2)
346.94(5)	Placing Injurious Substance on Highway	346.94(3)
346.94(6)(6m)	Throwing Debris on Highway	345.95(3)
346.94(7)	Spilling Loads of Waste	346.95(2)
346.94(8)	Transporting Persons in Mobile Homes or Boats	346.95(4)
346.94(9)	Alighting From or Boarding Moving Vehicle	346.95(1)
346.94(10)	Clinging to Motor Vehicles	346.95(1)
346.94(11)	Towing Sleds, Etc.	346.95(1)

LIGHTING EQUIPMENT

347.06	When Light Lamps Required	347.30(1)
347.07	Special Restrictions on Lamps and the Use Thereof	347.30(2)
347.08	Determining the Visibility Distance and Mounted Heights of Lamps	347.30(2)
347.09	Headlamps on Motor Vehicles	347.30(2)
347.10	Headlamp Specifications for Motor Vehicles	347.30(2)
347.11	Headlamp Specifications for Power-driven Cycles and Motor Bicycles	347.30(2)
347.12	Use of Multiple-beam Headlamps	347.30(2)
347.13(1)	Tail Lamps and Registration Plate Lamps	347.30(2)
347.13(2)	Location of Tail Lamp	347.30(1)
347.13(3)	Visibility Required of Tail Lamps	347.30(1)
347.13(4)	Wiring of Tail Lamps and Registration Plate Lamps	347.30(1)
347.14	Stop Lamps	347.30(2)
347.16	Clearance Lamps and Reflectors	347.30(2)
347.17	Color of Clearance and Marker Lamps and Reflectors	347.30(2)
347.18	Mounting of Clearance Lamps and Reflectors	347.30(2)
347.19	Visibility of Clearance Lamps and Reflectors	347.30(2)
347.20	Lamp or Flag on Projecting Load	347.30(2)
347.21	Lamps and Flags on Trains of Agriculture Vehicles and Tow Trucks	347.30(2)
347.22	Lamps on Farm Tractors and Self-Propelled Farm Implements	347.30(2)
347.23	Lamps on Highway Maintenance Equipment	347.30(2)
347.24	Lamps on Non-Motor Vehicles and Equipment	347.30(2)
347.245	Identification Emblems on Certain Slow-moving Trucks	347.30(2)
347.25	Special Warning Lamps on Emergency Vehicles, School Buses and Funeral Vehicles	347.30(2)
347.26	Restrictions on Certain Optional Lighting Equipment	347.30(2)
347.27	When Lighted Lamps are Required on Power Vehicles	347.30(2)
347.28	Certain Vehicles to Carry Flares or Other Warning Devices	347.30(2)
347.29	Display of Warning Devices for Certain Vehicles When Standing on Highway	347.30(2)

OTHER EQUIPMENT

347.35 to 347.49	Brakes, Horns and Warning Devices, Mufflers, Mirrors, Tire Equipment, Etc.	347.50
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SIZE, WEIGHT, LOAD

348.01	Words and Phrases Defined	
348.02	Applicability of Chapter 348	348.11(2)
348.05	Width of Vehicles	348.11(2)
348.06	Height of Vehicles	348.11(2)
348.07	Length of Vehicles	348.11(2)
348.08	Vehicle Trains	348.11(2)
348.09	Projecting Loads on Side of Vehicles	348.11(1)
348.10	Special Limitations on Load	348.11(1)

WEIGHT

348.15 to 348.20	Weight Limitations on Class "A" and Class "B" Highways Seasonal Weight Limitations and Seasonal Operation of Vehicles, Policy in Prosecuting Weight Violations, Etc.	348.21
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PERMITS

348.25 to 348.27	Provisions Relating to Permits for Loads of Excessive Size and Weights, Single and Multiple Trip Permits, Etc.	348.28
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SNOWMOBILES

350.01 to 350.10	Operation of Snowmobiles and Equipment, Etc.	350.11
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3.05 Stipulation Of Guilt Or No Contest

Stipulations of guilt or no contest may be made by person arrested for violations of this chapter whenever the provisions of § 345.27 are applicable to such violations. Stipulations shall conform to the form contained on the uniform traffic citation and complaint under § 345.11 Wis. Stats. and may be accepted within ten (10) days of the date of the alleged violation. Stipulations may be accepted by the Clerk of Courts office of Sheboygan County, Wisconsin.

3.06 Deposits

Any person stipulating guilt or no contest under subsection 3.05 of this section must make the deposit required under § 345.26 Wis. Stats., or if the deposit is not established under such statute, shall deposit a forfeited penalty as provided in the current uniform state traffic deposit schedule. Deposits may be brought or mailed to the office of the Clerk of Courts as directed by the arresting officer. Deposits for parking or non moving violations shall be mailed or brought to the Sheboygan County Clerk of Courts.

3.07 Notice Of Demerit Points And Receipt

Every officer accepting a forfeited penalty or money deposit under this ordinance shall receipt therefor in triplicate as provided in § 345.26(3)(b) Wis. Stats. Every officer accepting a stipulation under the provisions of this ordinance shall comply with the provisions of § 343.27, 343.28, 345.26(1)(2) and 345.27(2) Wis. Stats. and shall require the alleged violator to sign a statement or notice in substantially the form contained on the uniform traffic citations and complaint promulgated under § 345.11 Wis. Stats.

3.08 Forfeitures In Treasury

Officer to post bond, qualify. Any officer accepting deposits or forfeited penalties under this chapter shall deliver them to the Clerk of Courts of Sheboygan County within 20 days after receipt.

3.09 Issuance Of Notices For Parking Violations

(1) Purpose

The purpose of this Ordinance is to allow the issuance of notices for parking violations. Such a notice will allow a violator to stipulate guilt and make payment directly to the Village Clerk without the necessity of a formal court proceeding.

(2) Procedure

Upon receipt from an authorized official of a notice for parking violation, the violator may stipulate guilt and deliver in person or mail the notice of violation together with the fine amount to the Village Clerk. The stipulation of guilt and payment of fine amount shall be made within ten (10) days of receipt of notice of violation. If said stipulation and payment are not made within such time, an authorized official may issue a citation pursuant to Code section 3.04.

(3) Notice Of Violations

The Village Clerk shall authorize the printing of a notice for parking violations for use in enforcing parking violations contained in this code. The notice for violation shall contain a statement that the fine amount is to be paid on or before the listed due date and that failure to pay the fine amount will result in action being commenced against the violator.

3.10 Parking Regulations – Specific Locations⁷

(1) Center Avenue West of South 6th Street⁸

No parking is allowed on Sundays on the south side of Center Avenue from South 6th Street west to the Bethel Church parking lot entrance.

(2) Center Avenue west of North 12th Street⁹

No parking is allowed on the north side of Center Avenue from North 12th Street west to the center of 1218 Center Ave (355 feet from the corner of North 12th Street).

(3) Veterans Memorial Park (Park Avenue and Wisconsin Avenue)¹⁰

No parking is allowed from 10:00 p.m. to 6:00 a.m. except during special events authorized by the Village, on the north side of Park Avenue from the east lot line of Veterans Memorial Park west to North 12th Street, and on the south side of Wisconsin Avenue from the east lot line of Veterans Memorial Park west to North 12th Street; only Diagonal parking is allowed from 6:00 a.m. to 10:00 p.m.

(4) Oostburg Elementary School (North 6th Street)¹¹

- (a) Near Side. Between 8:30 a.m. to 3:15 p.m. on school days, no person may stop or leave any vehicle standing, whether temporarily or otherwise, on the near side of North 6th Street adjacent to the Oostburg Elementary School. Parking, stopping, or leaving any vehicle standing on North 6th Street is allowed only on the near side of North 6th Street adjacent to the Oostburg

⁷ Sections 3.10-3.13 were renumbered into this section by Ord. No. 2-2009, adopted May 11, 2009.

⁸ Added by Ord. 2-2009, adopted on May 11, 2009.

⁹ Adopted through Ordinance 15-1998 on December 12, 1998. See the Minutes of the Village Board Vol. 12, page 1169.

¹⁰ Added through Ordinance 1-2000 Adopted May 8, 2000. See the Minutes of the Village Board Vol. 13, Page 1198.

¹¹ Added through Ordinance 7-2001 Adopted July 9, 2001. See the Minutes fo the Village Board Vol. 13, Page 1238.

Elementary School between 7:30 a.m. to 8:30 a.m. and 3:15 p.m. to 4:30 p.m. on school days.

- (b) Far side. Between 7:30 a.m. to 4:30 p.m. on school days, no person may stop or leave any vehicle standing, whether temporarily or otherwise, upon the far side of North 6th Street adjacent to the Oostburg Elementary School.

(5) Oostburg Middle and High School (New York Ave)¹²

Parking is permitted on the north side of New York Avenue between North 4th Street and North 6th Street adjacent to the Oostburg Middle School and the Oostburg High School, EXCEPT that on school days between 7:00 a.m. and 3:00 p.m., temporary parking for ten (10) minutes or less is allowed for student drop off and pick up in the following locations:

- (a) Middle School. From N 4th Street to the bus entrance approximately 210 feet to the west.
- (b) High School. From between 400' to 600' west of N 4th Street.

(6) West Side of South 10th Street Between Superior Avenue and South Avenue¹³

No parking is allowed at any time on the west side of South 10th Street between Superior Avenue and South Avenue.

(7) South Side of Center Avenue Between 4th Street & 9th Street¹⁴

No parking is allowed at any time on the South side of Center Avenue between 4th Street and 9th Street.

(8) Oostburg Elementary School (New York Ave.)

On school days between 8:00-9:00 AM and 3:00-4:00 PM, no person may stop or leave any vehicle standing, whether temporary or otherwise, on New York Avenue between 6th and 7th Street.¹⁵

3.11-3.14 [Reserved for Future Use]

3.15¹⁶ Adoption of State Law by Reference Relating to Prohibiting Any Unregistered Motor Vehicle from Being Located on a Village Highway, and Governing the Immobilization, Removal and Disposal of Unregistered Motor Vehicles

- (1) The statutory provisions of Wis. Stat. § 431.65, inclusive of any provisions therein relating to forfeitures to be imposed are hereby adopted and by reference made a part of this code as if fully set forth herein. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this code.
- (2) The penalty for violation of this section shall be \$30.00 (Thirty Dollars), plus all applicable court costs.

¹² Added by Ord. 2-2007, adopted on July 9, 2007.

¹³ Added by Ord. 2-2014, adopted on September 8, 2014

¹⁴ Added by Ord. 3-2014, adopted on September 8, 2014

¹⁵ Added by Ord. 3-2015, adopted on September 14, 2015

¹⁶ Added through Ordinance -2001 Adopted October 10, 2001 Published on October 16, 2001. See the Minutes of the Village Board Vol., Page 1248

