

**VILLAGE OF MELROSE  
TRAFFIC CODE - CHAPTER 10**

**10.01 STATE TRAFFIC LAW ADOPTED:** Except as otherwise specifically provided in this code, the statutory provisions of chapters 340 to 348, Wis. Stats., describing and defining regulations with respect to vehicles and traffic, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are adopted and by reference made a part of this Code as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this code. Any future amendments, revisions, or modifications of the statutes incorporated herein are intended to be part of this Code in order to secure uniform statewide regulations of traffic on the highways, streets, and alleys of the State.

**10.05 OTHER STATUTES ADOPTED:** The following sections of the Wisconsin Statutes are hereby adopted by reference, but the prosecution of such offenses under this Code shall be as provided in Chapters 340 and 348 of the Wisconsin Statutes and the penalty for violation thereof shall be limited to forfeiture as provided in Sec. 10.40 of this Code:

941.01(1) (Negligent operation of vehicles off highway) 947.045 (Drinking in motor vehicles on highway)

**10.10 DISORDERLY CONDUCT WITH A MOTOR CEHICLE. PROHIBITED ACTIVITY:**

1. **PROHIBITED ACTIVITY:** No driver of any vehicle within the Village Limits of the Village of Melrose shall cause, by excessive and unnecessary acceleration, the tires of such vehicle to spin and emit loud noises or to unnecessarily throw stones or gravel; nor shall such driver cause to be made by excessive and unnecessary acceleration and loud noise such as would disturb the public peace.
2. **PENALTY:** Any person who shall violate the provisions of this section shall, upon conviction thereof, incur a forfeiture of not less than twenty dollars (\$20.00) nor more than two-hundred dollars (\$200.00) DOLLARS together with the costs of prosecution, and in default of payment thereof be confined to the county jail for Jackson County for a period not to exceed sixty days.

**10.20 SCHOOL BUSES. STOPPING REQUIRED:**

1. **STOPPING REQUIRED:** The operator of any vehicle within the Village Limits of the Village of Melrose which approaches from the front or rear any school bus which has stopped on a street or highway within said Village Limits of the Village of Melrose when such school bus is equipped according to Section 347.25(2), Stats. and when it is displaying flashing red warning lights and is further

displaying and appropriate stop arm, shall stop the vehicle not less than 20 feet from such school bus and shall remain stopped until the bus extinguishes the flashing red warning lights, retracts its stop arm and resumes motion.

2. **USE OF FLASHERS:** The operator of a school bus equipped with flashing red warning lights and appropriate stop arm as specified in Sec. 347.25(2), Stats. shall actuate such flashing red warning lights at least 100 feet before stopping to load or unload pupils and shall actuate such stop arm upon completing such stop and shall not retract such stop arm and shall not extinguish such flashing red lights until loading or unloading is completed. Where the curb and sidewalk are laid on only one side of the road, the operator shall use the flashing red warning lights and stop arm when unloading or loading passengers from either side. This provision is to specifically indicate that the Village of Melrose desires school bus operators to use the flashing red warning lights and stop arm in residential and/or business districts of the Village of Melrose when pupils or other authorized passengers are to be loaded or unloaded pursuant to Sec. 346.48(2)(b)(2) and Sec. 349.21, Stats.
3. **PENALTY:** Any person who shall violate the provisions of this section shall, upon conviction thereof, incur a forfeiture of not less than twenty dollars (\$20.00) nor more than two-hundred dollars (\$200.00) together with the costs of prosecution, and in default of payment thereof be confined to the county jail for Jackson County for a period not to exceed sixty days.

### **10.30 AN ORDINANCE REGULATING THE USE OF SNOWMOBILES IN THE VILLAGE OF MELROSE, JACKSON COUNTY, WISCONSIN**

The Village Board of the Village of Melrose, Jackson County, Wisconsin, do ordain as follows:

**SECTION 1: AUTHORITY:** Pursuant to chapters 350 and 346 of the Wisconsin Statutes, this ordinance is hereby created to regulate the use of snowmobiles within the Village of Melrose. Violation of this ordinance shall be treated as civil forfeitures.

**SECTION 2: ROUTES AND TRAILS DESIGNATED:** Except as provided in Sections 350.02 and 350.045, Wisconsin Statutes, or for snowmobile events authorized in accordance with Section 350.04, Wis. Stats., snowmobiles may be operated only upon the following streets, alleys or portions thereof in the Village of Melrose designated as snowmobile routes:

- 1) Tanner Street from its Westerly termination point to the Easterly right-of-way line of the alley running between North Washington Street and 2<sup>nd</sup> Street.

- 2) The alley located between North Washington Street and 2<sup>nd</sup> Street, commencing at the South right-of-way line of Simms Street and terminating at the North right-of-way line of West Bristol Street.
- 3) West Bristol Street and East Bristol Street commencing at the west right-of-way line of the alley referred to in subsection (2) above, and terminating at the east right-of-way line of the alley running between North Washington Street and Wachter Street.
- 4) The alley located between North Washington Street and Wachter Street, commencing at North right-of-way line of Court Street and terminating at the South right-of-way line of East Hogg Street
- 5) East Hogg Street commencing at the West right-of-way of the alley lying between North Washington Street and Wachter Street and running easterly on East Hogg Street to the Village limits.
- 6) All of Mill Street.
- 7) All of the village streets and thoroughfares within the Village of Melrose may be used to gain entry to the access routes listed above from any residence located within said Village limits by the most direct route.

**SECTION 3: AUTHORITY TO DESIGNATE:** The Village Officer is directed and authorized to procure, erect, and maintain appropriate snowmobile route, trail and limit signs and markers approved by the Department of Natural Resources under Section 350.13, Wis. Stats.

**SECTION 4: LOCAL REGULATION: Prohibited Activity.** It shall be unlawful for any person to operate a snowmobile under the following circumstances.

1. On public school grounds, park property, play grounds, or recreational areas without express permission to do so by appropriate public authority.
2. In a manner so as to create loud, unnecessary, or unusual noise so as to disturb or interfere with the peace and quiet of other persons.
3. In a careless, reckless, or negligent manner so as to endanger, or be likely to endanger, the safety of any person or the property of any other person.
4. Upon any sidewalk, pedestrian way, or mall within the Village except for the purpose of crossing to obtain immediate access to an authorized area of operation.
5. In excess of 10 miles per hour.

6. In a manner contrary to any route or trail sign, marker or limit erected in accordance with this section.
7. Upon any public right-of-way, public park, golf course or other public municipal property in the Village of Melrose except upon a designated snowmobile route.

**SECTION 5: PENALTY:**

1. Any person who violates any provision of this section shall upon conviction thereof forfeit not more than \$500.00, together with the costs of prosecution, and in default of payment thereof may be imprisoned in the county jail for a period not to exceed thirty (30) days; provided no person shall forfeit an amount in excess of the maximum fine or forfeiture allowed in the Wisconsin Statutes for the same offense, and further provided that the penalty and forfeiture for parking violations on highways shall be the amount applicable to such violations by owners or operators of motor vehicles under Section 6 of this code.
2. The penalty for violation of any of the provisions of this Ordinance shall be a forfeiture as hereinafter provided, together with the costs of prosecution imposed as provided in Section 345.20 to 345.53, Stats.
3. UNIFORM OFFENSES: See addendum below.
4. LOCAL REGULATIONS: The forfeiture for a violation of any of the other provisions of this Ordinance shall be as set forth in Section 2.30 of this code, unless otherwise specified.

**SECTION 6: ENFORCEMENT:**

1. STATUTORY OFFENSES: Violations of any offense prohibited by the State Statutes adopted by reference in this Ordinance shall be enforced in accordance with the provisions of Section 345.20 to 345.53 and 66.12, Wis. Stats., and as set forth in Section 14.70 of this code.
2. OTHER OFFENSES: Violations of other offenses prohibited by this Chapter shall be enforced in accordance with the provisions of Section 2.30 of this Code.

**SECTION 7: SEVERABILITY:** If any part of this ordinance is for any reason found to be invalid or unconstitutional by reason of any decision by any court of competent jurisdiction, such decision shall not affect the validity of any other part of this Ordinance.

**SECTION 8: CODE OF ORDINANCES:** After the effective date of this ordinance, same be known of Section 10.30 of the Code of Ordinances of the Village of Melrose.

**SECTION 9: EFFECTIVE DATE:** Upon passage and publication, this ordinance shall take effect and be in force as provided by law.

Signed by:  
LeRoy Craig, President  
Village of Melrose

Attest signed by:  
Judith Andersen, Clerk  
Village of Melrose

Dated: 02/07/2001  
Passed: 02/07/2001  
Published: 02/12/2001

**ADDENDUM ORDINANCE NO. 10.30 (5)(3)**

**AN ORDINANCE AMENDING SECTION 10.30 (5)(3) OF THE CODE OF ORDINANCES OF THE VILLAGE OF MELROSE, CREATING A CATEGORY OF OFFENSE FOR “OTHER” NON-PARKING MUNICIPAL OFFENSES.**

Whereas, the Village Board of the Village of Melrose believes that it would serve the interests of justice to create a new non-parking traffic offense categorized as “other,” to be used in the discretion of the Village Attorney and with the consent of the alleged violator of a traffic or other Village of Melrose, Jackson County, Wisconsin, do ordain as follows:

**SECTION 1:** Section 10.30(5)(3) of the Code of Ordinances of the Village of Melrose is hereby amended to read as follows:

3. **OTHER VIOLATIONS:** At the sole discretion of the Village Attorney, a non-parking traffic violation categorized as “Municipal Ticket-Other” may be substituted for an alleged violation of the State of Wisconsin Traffic Code adopted by Section 10.01, herein or other violation of this Code, when such substitution will best serve the interests of justice. No citations shall be initially issued under such category, but may be substituted in a situation where the Village Attorney and the alleged violator mutually agree that such a substitution is an appropriate means of resolving any citation issue (s) by stipulation, avoiding the cost and expense of trial. Forfeitures for violations/citations under this subsection shall be paid directly to the Village of Melrose Village Clerk, and shall be subject to the other provisions of Section 2.30 and 2.40 of this code, except for the manner of payment, as well as any other terms agreed upon between said Village Attorney and the alleged violator. All other violations not described sub. (1), (2) or that portion of (3), above, shall be enforced in accordance with Sections 66.12 and 66.114, Stats., and as amended. Stipulations and deposits shall be made in accordance with the provisions therein, and shall include applicable clerk’s fees and cost of prosecution.

**SECTION 2: SEVERABILITY:** If any part of this ordinance revision is for any reason found to be invalid or unconstitutional by reason of any decision by any court of competent jurisdiction, such decision shall not affect the validity of any other part of this ordinance.

**SECTION 3: CONFLICTING ORDINANCES:** All other ordinances or parts of ordinances of the Village of Melrose inconsistent or in conflict herewith are hereby repealed.

**SECTION 4: EFFECTIVE DATE:** Upon passage and publication/posting, this ordinance revision shall take effect and be in force as provided by law.

Signed by:  
Jeff Hanson, President  
Village of Melrose

Attest signed by:  
Mary Hatlevig, Clerk  
Village of Melrose

Dated: 05/05/2010  
Passed: 05/05/2010  
Published: 05/12/2010

**10.35 AN ORDINANCE AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES OF THE VILLAGE OF MELROSE, CREATING SECTION 10.35 OF SAID CODE, REGULATING THE OPERATION OF ALL TERRAIN VEHICLES WITHIN THE VILLAGE LIMITS.**

The Village Board of the Village of Melrose, Jackson County, Wisconsin, do ordain as follows:

**SECTION 1:** Chapter 10 of the Code of Ordinances of the Village of Melrose is hereby amended by creating a new section to be numbered Section 10.35, which section shall read as follows:

**10.35 REGULATION OF ALL TERRAIN VEHICLES:**

1. **STATE STATUES AND CODE ADOPTED:** Except as otherwise specifically provided in this code, the statutory provisions of Chapter 23 and 346 of the Wisconsin Statutes, as well as Natural Resources Code 64, regulating the use of all terrain vehicles, and rules of the road as the same apply to all terrain vehicles, exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are adopted and by reference made part of this Code as if fully set forth herein. Any act required to be performed or prohibited by any statues incorporated herein by reference is required or prohibited by this Code. Any future amendments, revisions of modifications of the statutes are intended to be made a part of this Code. Section 10.01 of this Code shall apply to this section.
2. **ROUTES AND TRAILS DESIGNATED:** Except as provided in Section 23.33 of the Wisconsin Statutes and Natural Resources Code 64, all terrain vehicles may be operated in the Village of Melrose on those streets, alleys and other property under the control of the Village only if permitted by the Village Board, and only upon those trails or routes as may be designated by said Board for approved operation.
3. **AUTHORITY TO DESIGNATE:** The Village Marshall or any police officer acting under the direction of the Village Board is directed and authorized to procure, erect and maintain appropriate routes, trail and limit speed signs and markers as approved by the Department of Natural Resources under said Statutes and Code mentioned above.
4. **LOCAL REGULATION:** It shall be unlawful for any person to operate an all terrain vehicle in the Village of Melrose under the following circumstances:
  - a) On public school grounds, park property, play grounds or upon any recreational areas without the expressed permission to do so by appropriate public authority.



- b) In a manner so as to create loud, unnecessary, or unusual noise so as to disturb or interfere with the peace and quiet of the Village, thereby affecting other persons.
- c) In a careless, reckless or negligent manner so as to endanger, or be likely to endanger, the safety of any person or the property of another person.
- d) Upon any sidewalk, pedestrian way, or mall within the Village, except for the purpose of direct crossing to obtain immediate access to an authorized area of operation.
- e) In excess of ten (10) miles per hour.
- f) In a manner contrary to any route or trail sign, marker or limit erected in accordance with this section.
- g) Upon any public right of way, public park, golf course or other municipal property in the Village of Melrose except upon a designated all terrain vehicle route.

5. **EXCEPTIONS:** The following circumstances shall be exceptions to the enforcement regulations set forth above:

- a) Operation while actively engaged in the removal of snow, as long as all applicable other regulations are being followed, and the operator is using the most direct route to and from the snow removal site.
- b) Operation in an authorized public event, as long as all applicable other regulations are being followed, and the operator is using the most direct route to and from the authorized public event site.
- c) Operation while actively engaged in a recognized community emergency event or incident. Approval shall be by authority of a Village official. All applicable other regulations shall be followed, and the operator shall use the most direct route to and from the event or incident.

6. **ENFORCEMENT:** Enforcement under the provisions of this section shall be as follows:

- a) **Statutory Offenses:** Violations of any offense prohibited by the State Statutes adopted by this Ordinance shall be enforced in accordance with the provisions of Sections 345.20 through 345.53 and 66.12, Wis. Stats., and as set forth in Section 14.70 of this Code.

- b) Other Offenses: Violations of other offenses prohibited by this Chapter shall be enforced in accordance with the provisions of Sections 2.30 of this Code.
- c) A deposit schedule shall be established in conformance with the provisions of a Section 10.40 and 2.40 of this Code.

7. PENALTY:

- a) Any person who shall violate and provision of this section shall upon conviction thereof forfeit not more than \$500.00, together with the costs of prosecution, and in default of payment thereof may be imprisoned in the county jail for a period not exceeding 30 days; provided no person shall forfeit an amount in excess of the maximum fine or forfeiture allowed in the Wisconsin Statutes for the same offense, and further provided that the penalty and forfeiture for parking violations on highways shall be the amount applicable to such violations by owners and operators of motor vehicles under Section 6 of this Code.
- b) The penalty for violation of any of the provisions of this Ordinance shall be forfeiture as hereinafter provided, together with the costs of prosecution imposed as provided in Sections 345.20 through 345.53, Wis. Stats.
- c) Uniform Offenses: The forfeiture for a violation of any of the provisions of Chapters 341 through 348 and 23 of the Wisconsin Statutes and Chapter NR 64 of the Wisconsin Administrative Code, adopted by reference in this Ordinance shall conform to forfeitures for violations of comparable state offenses, including any variations or increases for second or subsequent offenses.
- d) Local Regulations: The forfeiture for a violation of any of the other provision of this ordinance shall be as set forth in Section 2.30 of this code, unless otherwise specified.

**SECTION 2: SEVERABILITY:** If any part of this Ordinance is for any reason found to be invalid or unconstitutional by reason of any decision by any court of competent jurisdiction, such decision shall not affect the validity of any other part of this ordinance.

**SECTION 3: CONFLICTING ORDINANCES:** All other ordinances or parts of ordinances of the Village of Melrose inconsistent or in conflict herewith are hereby repealed.

**SECTION 4: EFFECTIVE DATE:** Upon passage and publication, this ordinance shall take effect and be in force as provided by law.

Signed by:  
LeRoy Craig, President  
Village of Melrose

Attest signed by:  
Mary Hatlevig, Clerk  
Village of Melrose

Dated: 11/07/2007  
Passed: 11/07/2007  
Published: 11/14/2007

**10.40 ENFORCEMENT:**

1. **STATUTORY OFFENSES:** Violations of any offense prohibited by the State Statutes adopted by reference in this Chapter shall be enforced in accordance with the provisions of Section 345.20 to 345.53, and 66.12, Stats., and as set forth in Section 14.70 of this code.
  
2. **OTHER OFFENSES:** Violations of other offenses prohibited by this Chapter shall be enforced in accordance with the provisions of Section 2.30 of this Code.

**10.50 AN ORDINANCE TO CREATE SECTION 10.50 OF THE CODE OF ORDINANCES OF THE VILLAGE OF MELROSE WITH REGARD TO PARTICIPATION IN THE NON-MOVING TRAFFIC VIOLATION AND REGISTRATION PROGRAM OF THE WISCONSIN DEPARTMENT OF TRANSPORTATION.**

The Village Board of the Village of Melrose, Jackson county, Wisconsin, do ordain as follows:

**SECTION 1:** Section 10.50 of the Code of Ordinances of the Village of Melrose is hereby created to read as follows:

**10.50 NON-MOVING TRAFFIC VIOLATIONS:**

Pursuant to the provisions of Section 345.28(4) of the Wisconsin Statutes, the Village Board of the Village of Melrose does hereby elect to participate in the non-moving traffic violation and registration program of the Wisconsin Department of Transportation and to pay the costs established by that Department under Wisconsin Statutes Section 85.13; such costs shall, in turn, be assessed against persons charged with non-moving traffic violations.

The Village of Melrose Police Department, in the matter of unpaid citations, is herein and hereby appointed the “delegated agency” of the Village of Melrose and the Village Clerk is hereby authorized to file with the Wisconsin Department of Transportation, an appropriate Notice of the Village election to participate in the above-described program in accordance with Clearinghouse Rule No. 82-141. repealing and recreating Chapter Trans 128 of the State Administrative Code.

**SECTION 2: SEVERABILITY:** If any part of this ordinance is for any reason found to be invalid or unconstitutional by reason of any decision by any court of competent jurisdiction, such decision shall not affect the validity of any other part of this ordinance.

**SECTION 3: CONFLICTING ORDINANCES:** All other ordinances or parts of ordinances of the Village of Melrose inconsistent or in conflict herewith are hereby repealed.

**SECTION 4: EFFECTIVE DATE:** Upon passage and publication, this ordinance shall take effect and be in force as provided by law.

Signed by:  
LeRoy Craig, President  
Village of Melrose

Attest signed by:  
Judith Andersen, Clerk  
Village of Melrose

Dated: 10/04/2000  
Passed: 10/04/2000  
Published: 11/01/2000