

A meeting of the City of Evansville Public Safety will be held on the date and time stated below. Requests for persons with disabilities who need assistance to participate in this meeting should be made by calling City Hall at (608) 882-2266 with as much notice as possible. Copies of the packet and agenda are available at: www.evansvillewi.gov/city_government/public_agendas_minutes/public_safety.php

Public Safety Committee
Regular Meeting
Wednesday, September 4, 2024, 6:00 p.m.
City Hall, 31 S. Madison Street, Evansville, WI

AGENDA

1. Call to Order.
2. Roll Call.
3. Motion to approve the Agenda.
4. Motion to approve the August 7, 2024, Public Safety regular meeting Minutes.
5. Citizen appearances other than agenda items listed.
6. Old Business.
7. New Business.
 - A. **Motion to approve the Operator's License Application(s)** for: *(recommended by Evansville Police Department unless otherwise noted).*
 - 1) Kody T. Hunt
 - 2) Luke Edward Dalsen
 - 3) Stephanie Cheryl Gutowski
 - 4) Laura Lee Nickel
 - B. **Discussion with possible motion to approve the Class "B"/Class B" Temporary Extension of Premises Application for:**
 - 1) **Slice Golf**: 1 E. Main Street, Evansville, WI 53536 from 4 p.m. to 9 p.m. on September 28, 2024.
Sidewalk 2 parking spaces in front of business (map attached).
 - C. **Motion to recommend to Common Council modification of ordinance 82-326 & adding 82-328**
 - D. **Motion to recommendation to Common Council to add the highlighted portion to ordinance 122-62**
8. Evansville Police Department Report.
9. Evansville Emergency Medical Services Report.
10. Meeting Reminder: Next regular meeting scheduled for Wednesday, October 2, 2024, at 6:00 p.m.
11. Adjourn.

Erika Stuart, Chairperson

Please turn off all cell phones while the meeting is in session. Thank you.

Public Safety Committee
Regular Meeting
Wednesday, August 7, 2024, 6:00 p.m.
City Hall, 31 S. Madison Street, Evansville, WI

MINUTES

- 1. Call to Order. *Lewis called the meeting to order at 6:00 p.m.*
- 2. Roll Call.

Members

Present/Absent

Others Present

Aldersperson Erika Stuart, Chair	A	Patrick Reese, Police Chief
Aldersperson Gene Lewis	P	Morgan Katzenmeyer, EMS Asst. Chief
Aldersperson Joe Geoffrion	P	Jolene Klitzman, Deputy Clerk
		Julie Patton, Citizen
		Don & Zoila Yahn, Citizen
		Roger Berg, Citizen

- 3. Motion to approve the Agenda. *by Lewis, Seconded by Geoffrion, Motion carried 2-0*
- 4. Motion to approve the June 5, 2024, Public Safety regular meeting Minutes. *by Lewis, Seconded by Geoffrion, Motion carried 2-0*
- 5. Citizen appearances other than agenda items listed. *N/A*
- 6. Old Business. *N/A*
- 7. New Business.

A. Motion to approve the Operator’s License Application(s) for: *(recommended by Evansville Police Department unless otherwise noted).*

- 1) Kailyn Kimberlee Peters
- 2) Kimberly Sue Dienberg
- 3) Shara Lynn Meade
- 4) Sharon Lee Niman
- 5) Dawson Fredrick Kopf
- 6) Taylor Candace Acker
- 7) Ryan P. Dienberg-Armstrong
- 8) Chloe Jean Bublitz
- 9) Barbra Lynne Neutz
- 10) Clayton Douglas Blohm
- 11) Shirley Amyjean Pate
- 12) Robin S. St. Clair
- 13) Jessica M. Ross

by Geoffrion, Seconded by Lewis, Motion Carried 2-0

B. Discussion with possible motion to approve the Class “B”/Class B” Temporary Extension of Premises

Application for:

- 1) **Bessire Bowl, LLC**: Blue Devil Bowl, Beer Olympics, 108 E. Main Street, Evansville, WI 53536 from 3 p.m. to 7 p.m. on August 10, 2024. Sidewalk and 3 parking spaces in front of business (map attached). Designated Drivers are - Thomas Harper & Kimberly Dienberg.
by Geoffrion, Secoded by Lewis, Motion carried 2-0
- 2) **Picture this Creative Workshop**: 7 E. Main Street, Evansville, WI 53536 from 6:00 p.m. to 10:00 p.m. on September 28, 2024. The downstairs lobby area.
by Lewis, Secoded by Geoffrion, Motion carried 2-0

C. Motion to recommend to the Common Council approval of the Renewal Alcohol Beverage License Applications for a Class A Beer/Class A Liquor License for: (background check recommendations provided by Chief Reese, unless otherwise noted)

- 1) **Family Dollar Stores of Wisconsin, LLC, Priscilla Santos, Agent**, 6627 33rd Avenue, Kenosha, WI 53142 d/b/a Family Dollar Store #24446, 28 County Highway M, Evansville, WI 53536
by Lewis, Secoded by Geoffrion, Motion carried 2-0

D. Motion to approve the Class “B”/Class B” Retailer License Application for: (background check recommendations provided by Chief Reese, unless otherwise noted)

- 1) **Future Farmers of America Alumni Association Corn Roast**, Ronald Buttchen, 32 Cemetery Road, Evansville, WI 53536, location Evansville Ford, 428 Union Street, Evansville, WI 53536
by Lewis, Secoded by Geoffrion, Motion carried 2-0
- 2) **Evansville Chamber of Commerce of Commerce & Tourism**, Ladies Night Out, 25 W. Main Street, Evansville WI 53536.
 1. Exit Realty – 9 Maple St., Evansville, WI 53536
 2. Vintage Charm Boutique m- 11 W. Main Street, Evansville, WI 53536
 3. Farnsworth Ceramics – 12 E. Main Street, Evansville, WI 53536
 4. Very Vintage – 115 E. Main Street, Evansville, WI 53536*by Lewis, Secoded by Geoffrion, Motion carried 2-0*

E. Discussion with possible motion to approve the Long-Term Street Use License Application(s) for:

- 1) **Street Block Party**, Zoila A. Yahn at 631 Locust Lane, Evansville, WI 53536. August 17, 2024, from 3:30 p.m. to 12:00 a.m. Location 554 Stonewood Court, Evansville, WI 53536
by Geoffrion, Secoded by Lewis, Motin carried 2-0

Chief Reese contacted Mrs. Yahn about the time and the liquor rules on the streets/terrace way and they will be putting signs up for the neighborhood and will know have changed the ending time to be done by 10:00 p.m.

8. Evansville Police Department Report. *Chief Reese reported to the committee. Met with ESCD for annual meeting, will be attending the Rock County Law Enforcement Association meeting, staff is teaming up with Rock County Sheriffs Office for Cops N Bobbers at Lake Leota, Evansville Night Out is August 14th*
9. Evansville Emergency Medical Services Report. *Assistant Chief Katzenmeyer reported to the committee. EMS attended the Rock County Dairy Breakfast, Morgan got Married in June, EMS training on Stroke Care with*

Mercy, staff attended Rock County 4H Fair, 2 more EMS's have been hired one is a n AEMT and the other is a EMT-B, Gail Carr is now affiliated at the A-EMT.

10. Meeting Reminder: Next regular meeting scheduled for Wednesday, September 4, 2024, at 6:00 p.m.

11. Adjourn. **6:23 p.m.**

Jolene Klitzman, Deputy Clerk

DRAFT



APPLICATION FOR OPERATOR'S LICENSE

7A-1

CITY OF EVANSVILLE CITY CLERK'S OFFICE

31 S. Madison St, PO Box 529, Evansville, WI 53536

New Operator's License: \$35.00 Renewal Operator's License: \$35.00 Provisional License: \$15.00

NOTE: APPLICATION FEE WILL NOT BE REFUNDED IF DENIED OR WITHDRAWN.

A Police check will be completed. Please read carefully and answer honestly. Falsification and/or misrepresentation may be grounds for denial of license/permit. Applicant cannot reapply for a 6 month period from date of denial. If you have any doubt as to whether to include the facts of a specific incident it is recommended that you disclose the information. If you are unsure about how to respond to any questions on this form, check with the City Clerk for clarification. You can obtain information regarding your arrest and conviction record from the police department and/or the court with which you interacted, or the Wisconsin Circuit Court Access website at: <https://www.wicourts.gov/casesearch.htm> (CCAP may not provide comprehensive list of all arrests/convictions).

1. LEGAL NAME: Kody T Hunt
First Middle Last

DATE OF BIRTH: 4-1-1987

ADDRESS: _____

CITY: Evansville STATE: WI ZIP: 53536

PHONE: _____

Driver's License No.: _____ Issuing State: WI

GENDER: Male Female

HOW LONG HAVE YOU LIVED AT ABOVE ADDRESS? 1 1/2 years

Prior Street Address if Above Address is Less Than 5 Years State Zip From To

State	Zip	From	To

ARREST AND CONVICTION RECORD (Anywhere within the United States of America).

2. Have you ever been cited and/or convicted of a felony? Yes No

3. Have you ever been cited and/or convicted of a misdemeanor? Yes No

4. Within the past ten (10) years, have you been arrested for, received a summons to appear in court for, or forfeited a bond for any of the following:

Question	Yes	No
a) Any underage alcohol violation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Operating a motor vehicle while intoxicated?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Selling or furnishing alcoholic beverages to underage person?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Permitting underage person on licensed premises?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Allowing persons on licensed premises after closing?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Any alcohol related violation other than a, b, c, d, and e?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Sale of legal or illegal drugs to include prescription medications or possession of any illegal drugs to include prescription medications not prescribed to you?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Fighting, disorderly conduct, assault, or battery?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Resisting arrest, interfering with a police officer or obstructing an officer?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Any crime or ordinance violation not listed above other than traffic or parking tickets?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5. For each YES response above, you must identify all violations below. Attach additional sheets if necessary or continue on the back of this application.

TYPE OF ARREST, SUMMONS, VIOLATION OR CHARGE	MONTH/YEAR	CITY	STATE
<u>Under age</u>		<u>Evansville</u>	<u>WI</u>
<u>under age @ party</u>		<u>Evansville</u>	<u>WI</u>

Within the last two (2) years, did you have and/or complete one of the following:

Attach certificate of completion for Responsible Alcohol Servers Course
<input checked="" type="checkbox"/> Successfully completed a Responsible Alcohol Servers Course
<input checked="" type="checkbox"/> An alcohol agent for a retail alcohol license
<input type="checkbox"/> Held an Operator's License issued in Wisconsin
<input type="checkbox"/> The sole proprietor of retail alcohol license

6. CERTIFICATION: I do hereby swear, under penalty of perjury, that I am the person who made and signed the foregoing application for an operator's license, and that all statements herein are complete, true and correct. I further understand a full background investigation may be conducted by the Evansville Police Department prior to consideration of this application. Additionally, I understand that this application may be denied if it contains any falsification and that I will not be able to reapply for a 6 month period. I do further agree to comply with all laws, resolutions, ordinances, and regulations, federal, state or local affecting the sale of fermented malt beverages and intoxicating liquors.

Signature: Kody Hunt Email: Don't use

Printed Name: Kody Hunt Date: _____

FOR MUNICIPALITY USE ONLY BELOW THIS LINE

Police Department Recommendation and Comments: JAL over 5 years

Public Safety Committee: City of Evansville

Approved: _____ Denied: _____ Date: _____

Therft from 2012

Clerk's Office Signature: _____ Date: _____

Approved: PLC Denied: _____

Receipt # _____ Receipt: 1.157289 35.00

PLC 8/28/24
Police Chief's Signature Date



APPLICATION FOR OPERATOR'S LICENSE

CITY OF EVANSVILLE CITY CLERK'S OFFICE

31 S. Madison St, PO Box 529, Evansville, WI 53536

New Operator's License: \$35.00 Renewal Operator's License: \$35.00 Provisional License: \$15.00

NOTE: APPLICATION FEE WILL NOT BE REFUNDED IF DENIED OR WITHDRAWN.

A Police check will be completed. Please read carefully and answer honestly. Falsification and/or misrepresentation may be grounds for denial of license/permit. Applicant cannot reapply for a 6 month period from date of denial. If you have any doubt as to whether to include the facts of a specific incident it is recommended that you disclose the information. If you are unsure about how to respond to any questions on this form, check with the City Clerk for clarification. You can obtain information regarding your arrest and conviction record from the police department and/or the court with which you interacted, or the Wisconsin Circuit Court Access website at: <https://www.wicourts.gov/caserearch.htm> (CCAP may not provide comprehensive list of all arrests/convictions).

1. LEGAL NAME: First Luke Middle Edward Last Dalsen **DATE OF BIRTH:** _____

ADDRESS: _____ **PHONE:** _____

CITY: Evansville **STATE:** Wisconsin **ZIP:** 53536 **GENDER:** Male Female

Driver's License No.: _____ **Issuing State:** Wisconsin

HOW LONG HAVE YOU LIVED AT ABOVE ADDRESS? 18 years **Former Name(s):** N/A

Prior Street Address if Above Address is Less Than 5 Years	State	Zip	From	To

ARREST AND CONVICTION RECORD (Anywhere within the United States of America)

2. Have you ever been cited and/or convicted of a felony? Yes No

3. Have you ever been cited and/or convicted of a misdemeanor? Yes No

4. Within the past ten (10) years, have you been arrested for, received a summons to appear in court for, or forfeited a bond for any of the following:

a) Any underage alcohol violation?	Yes	<input checked="" type="radio"/> No
b) Operating a motor vehicle while intoxicated?	Yes	<input checked="" type="radio"/> No
c) Selling or furnishing alcoholic beverages to underage person?	Yes	<input checked="" type="radio"/> No
d) Permitting underage person on licensed premises?	Yes	<input checked="" type="radio"/> No
e) Allowing persons on licensed premises after closing?	Yes	<input checked="" type="radio"/> No
f) Any alcohol related violation other than a, b, c, d, and e?	Yes	<input checked="" type="radio"/> No
g) Sale of legal or illegal drugs to include prescription medications or possession of any illegal drugs to include prescription medications not prescribed to you?	Yes	<input checked="" type="radio"/> No
h) Fighting, disorderly conduct, assault, or battery?	Yes	<input checked="" type="radio"/> No
i) Resisting arrest, interfering with a police officer or obstructing an officer?	Yes	<input checked="" type="radio"/> No
j) Any crime or ordinance violation not listed above other than traffic or parking tickets?	Yes	<input checked="" type="radio"/> No

5. For each YES response above, you must identify all violations below. Attach additional sheets if necessary or continue on the back of this application.

TYPE OF ARREST, SUMMONS, VIOLATION OR CHARGE	MONTH/YEAR	CITY	STATE

Within the last two (2) years, did you have and/or complete one of the following:

<input checked="" type="checkbox"/> Successfully completed a Responsible Alcohol Servers Course	<input type="checkbox"/> An alcohol agent for a retail alcohol license
<input type="checkbox"/> Held an Operator's License issued in Wisconsin	<input type="checkbox"/> The sole proprietor of retail alcohol license

Attach certificate of completion for Responsible Alcohol Servers Course

6. CERTIFICATION: I do hereby swear, under penalty of perjury, that I am the person who made and signed the foregoing application for an operator's license, and that all statements herein are complete, true and correct. I further understand a full background investigation may be conducted by the Evansville Police Department prior to consideration of this application. Additionally, I understand that this application may be denied if it contains any falsification and that I will not be able to reapply for a 6 month period. I do further agree to comply with all laws, resolutions, ordinances, and regulations, federal, state or local affecting the sale of fermented malt beverages and intoxicating liquors.

Signature: Luke Dalsen **Email:** _____

Printed Name: Luke Dalsen **Date:** 08/22/24

FOR MUNICIPALITY USE ONLY BELOW THIS LINE

Police Department Recommendation and Comments: _____

Public Safety Committee: City of Evansville

Approved: _____ **Denied:** _____ **Date:** _____

Clerk's Office Signature: _____ **Receipt #:** 1.157498 **Date:** 35.00

Approved: [Signature] **Denied:** _____

Police Chief's Signature: _____ **Date:** 8/28/24



APPLICATION FOR OPERATOR'S LICENSE

CITY OF EVANSVILLE CITY CLERK'S OFFICE

31 S. Madison St, PO Box 529, Evansville, WI 53536

New Operator's License: \$35.00 **Renewal Operator's License: \$35.00** **Provisional License: \$15.00**

NOTE: APPLICATION FEE WILL NOT BE REFUNDED IF DENIED OR WITHDRAWN.

A Police check will be completed. Please read carefully and answer honestly. Falsification and/or misrepresentation may be grounds for denial of license/permit. Applicant cannot reapply for a 6 month period from date of denial. If you have any doubt as to whether to include the facts of a specific incident it is recommended that you disclose the information. If you are unsure about how to respond to any questions on this form, check with the City Clerk for clarification. You can obtain information regarding your arrest and conviction record from the police department and/or the court with which you interacted, or the Wisconsin Circuit Court Access website at: <https://www.wicourts.gov/casesearch.htm> (CCAP may not provide comprehensive list of all arrests/convictions).

1. LEGAL NAME: Laura Lee Nickel DATE OF BIRTH: _____
First Middle Last

ADDRESS: _____ PHONE: _____

CITY: Albany STATE: WI ZIP: 53502 GENDER: Male Female

Driver's License No.: _____ Issuing State: WISCONSIN

HOW LONG HAVE YOU LIVED AT ABOVE ADDRESS? over 10 years Former Name(s): Allen (maiden) Maynard

Prior Street Address if Above Address is Less Than 5 Years	State	Zip	From	To
<u>NA</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>

ARREST AND CONVICTION RECORD

(Anywhere within the United States of America)

2. Have you ever been cited and/or convicted of a felony? Yes No
3. Have you ever been cited and/or convicted of a misdemeanor? Yes No
4. Within the past ten (10) years, have you been arrested for, received a summons to appear in court for, or forfeited a bond for any of the following:
- a) Any underage alcohol violation? Yes No
 - b) Operating a motor vehicle while intoxicated? Yes No
 - c) Selling or furnishing alcoholic beverages to underage person? Yes No
 - d) Permitting underage person on licensed premises? Yes No
 - e) Allowing persons on licensed premises after closing? Yes No
 - f) Any alcohol related violation other than a, b, c, d, and e? Yes No
 - g) Sale of legal or illegal drugs to include prescription medications or possession of any illegal drugs to include prescription medications not prescribed to you? Yes No
 - h) Fighting, disorderly conduct, assault, or battery? Yes No
 - i) Resisting arrest, interfering with a police officer or obstructing an officer? Yes No
 - j) Any crime or ordinance violation not listed above other than traffic or parking tickets? Yes No

5. For each YES response above, you must identify all violations below. Attach additional sheets if necessary or continue on the back of this application.

TYPE OF ARREST, SUMMONS, VIOLATION OR CHARGE	MONTH/YEAR	CITY	STATE
<u>2018 - a restraining order in Washburn CO.</u>	<u>2018 April</u>	<u>Minong</u>	<u>WI</u>
<u>2024 - a restraining order again by the X-wife of my partner</u>	<u>2024 - Aug</u>	<u>Minong</u>	<u>WI</u>

Within the last two (2) years, did you have and/or complete one of the following:

Successfully completed a Responsible Alcohol Servers Course An alcohol agent for a retail alcohol license

Held an Operator's License issued in Wisconsin The sole proprietor of retail alcohol license

6. CERTIFICATION: I do hereby swear, under penalty of perjury, that I am the person who made and signed the foregoing application for an operator's license, and that all statements herein are complete, true and correct. I further understand a full background investigation may be conducted by the Evansville Police Department prior to consideration of this application. Additionally, I understand that this application may be denied if it contains any falsification and that I will not be able to reapply for a 6 month period. I do further agree to comply with all laws, resolutions, ordinances, and regulations, federal, state or local affecting the sale of fermented malt beverages and intoxicating liquors.

Signature: Laura L Nickel Email: _____
Printed Name: Laura L Nickel Date: 8-27-24

FOR MUNICIPALITY USE ONLY BELOW THIS LINE

Police Department Recommendation and Comments: D.C. 2010 Public Safety Committee: Approved: _____ Denied: _____ Paid To: _____ Date: _____

Clerk's Office Signature: _____ Date: _____

Approved: [Signature] Denied: _____ Receipt # _____
Police Chief's Signature Date: 8/29/24

Aug 27, 2024 3:01 PM



Temporary Extension of Premises Application

7B-1

CITY OF EVANSVILLE CITY CLERK'S OFFICE

31 S. Madison St, PO Box 529, Evansville, WI 53536

Application Fee: \$50.00

APPLICATION FEE WILL NOT BE REFUNDED IF DENIED OR WITHDRAWN

This license can only be issued to a current Class B or Class C license Establishments.

Requested area(s) must be adjacent with the current licenses premises.

Event Name: Fall Kickoff Event

Event Date: 9-28-24

Event Time: 4-9 pm

Business Name: (Must be the same as existing license) Slice GOLF

Business Address: 1 E Main St.

Type of License currently held: Class B Liquor

Name of Agent: Slice GOLF

(Must be the same as existing license, otherwise a new appointment of agent form must be completed)

Phone Number: - - - - -

Email Address: Sarah Kilps @ gmail.com

Name of Person in Charge of Event: Sarah Kilps

Phone Number:

Email Address:

Premises Details

Specific description of the site for which the temporary extension is sought, including the dimension of the area and where beer/liquor is to be served and consumed:

2 parking STALLS in front of Slice

How will the licensed premises area be restricted and screened from underage persons:

Barricade and Signs

Will the event encroach upon any public property or public right-of way?

Yes

No

(If you answered Yes above, a street closure permit may be needed)

Names and Addresses of all Organization Officers:

President:

Sarah Kilps

Name

- - - - -

Address

Evansville WI 53536

City/State/Zip

Vice President:

Name

Address

City/State/Zip

Secretary:

Name

Address

City/State/Zip

Treasurer:

Name

Address

City/State/Zip

Location of Premises where Beer and/or Wine will be served, consumed, or stored and areas where Alcohol Beverage Records will be stored:

Address/Location Description: 1 E Main St

Do premises occupy all or part of building? yes

If part of building, fully describe all premises covered under this application, which floor(s) & room(s) licenses is to cover:

1st Floor of Building

Declaration: An officer of the organization, declares under penalties of law that the information provided in this application is true and correct to the best of his/her knowledge and belief. Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

[Signature] 8-22-24
(Officer Signature/Date)

[Signature]
(Name of Organization)

FOR MUNICIPALITY USE ONLY BELOW THIS LINE

Municipal Services Recommendation and Comments:

Recommend Non-Recommend Recommend with conditions

See Email

Municipal Services Director Signature

Date

Police Chief Recommendation and Comments:

Recommend Non-Recommend Recommend with conditions

[Signature]
Police Chief's Signature

8/23/24
Date

Date Filed with Clerk:

Public Safety: Approved/Denied Date:

Date License Issued:

Council: Approved/Denied Date:

Note any conditions assigned:

Notes & Receipt Information:

E Main St



Slice Golf

17



The Nail Trim
Spot By Kacie

Jolene Klitzman

From: Dale Roberts
Sent: Thursday, August 22, 2024 1:59 PM
To: Jolene Klitzman; Patrick Reese
Subject: Re: Slice Golf Extension of Premise & Street Closure

Looks good to me.

Dale Roberts
City of Evansville
Public Works Foreman
608-516-2680

From: Jolene Klitzman <j.klitzman@evansvillewi.gov>
Sent: Thursday, August 22, 2024 1:48 PM
To: Patrick Reese <p.reese@evansvillewi.gov>; Dale Roberts <d.roberts@evansvillewi.gov>
Subject: Slice Golf Extension of Premise & Street Closure

Hi Guys,

Attached the applications for Slice Golf Fall Kick Off Event on September 28, 2024.

Please let me know if you have any issues with the applications.

Jolene Klitzman
Deputy Clerk
31 S. Madison St./PO Box 529
Evansville, WI 53536
Phone: 608-882-2266 Option 2
****Please see new email j.klitzman@evansvillewi.gov****

Sec. 82-326. Prohibition of ~~the Possession and~~ Sale to Minors

The purchase ~~or possession~~ of vapor products by any person under the age of ~~18~~ 21 is prohibited. No retailer, direct marketer, manufacturer, distributor, jobber or sub-jobber, no agent, employee or independent contractor of a retailer, direct marketer, manufacturer, distributor, jobber or sub-jobber and no agent or employee of an independent contractor may sell or provide for nominal or no consideration any vapor products to any person under the age of ~~18~~ 21. A person under ~~18~~ 21-years of age may purchase or possess cigarettes, nicotine products, or tobacco products for the sole purpose of resale in the course of employment during his or her working hours if employed by a retailer. The defenses provided in Wis. Stat. § 134.66(3)(a)—(c) shall be defenses to any prosecution hereunder. **The federal age for tobacco product sales was raised to 21. 21 U.S.C.A §§ 387p and 387f.**

Sec. 82-327. Prohibition of Possession by Minors

The possession of vapor products by any person under the age of 18 is prohibited. A person under 18-years of age may possess cigarettes, nicotine products, or tobacco products for the sole purpose of resale in the course of employment during his or her working hours if employed by a retailer. The defenses provided in Wis. Stat. § 134.66(3)(a)—(c) and § 254.92(2) shall be defenses to any prosecution hereunder.

*(This statute could also adopt 2 more provisions from Wis. Stat. § 254.92. The city could include attempts to purchase by those under 18 as that is not included in 134.66 and permissible under 254.92. The city could also include providing products to those under 18 as that is not included in 134.66 which focuses on being provided tobacco by retailers, not family and friends)

Sec. 82-3287. Prohibition of the use of vapor product or tobacco on school grounds

(a) ~~Smoking prohibited.~~—The provisions of §101.123 Wisconsin Statutes, and any subsequent amendments or modifications are adapted by reference and made a part of this section as if more fully set forth herein.

(b) Regulation of Electronic Smoking Devices

Definitions

(1) Smoking. Smoking shall have a meaning as defined in Wisconsin Statutes §101.123, and shall also include the use of an electronic smoking device which emits an aerosol, particulates, or vapor, in any manner or in any form.

(2) Electronic Smoking Device. Electronic smoking device means any product containing or delivering nicotine, or any other legal or controlled substance, whether natural or synthetic, that can be used by a person to simulate smoking through inhalation of vapor, particulates, or aerosol from the device. The term electronic smoking device includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-pipes, vape pens, mods, tank systems, or under any other product name or description. The term also includes any component part of such product whether or not sold separately. The term electronic smoking device does not include any product that has been approved by the United States Food and Drug Administration (FDA) for sale as a tobacco cessation product and is being marketed and sold solely for that purpose.

(c) Smoking is prohibited except as provided in Wis. Stat. § 101.123(3) in any of the following:

(1) Any place in which smoking is prohibited under Wis. Stat. § 101.123(2).

(2) The entire grounds of any property which has an educational facility on it.

(3) All municipal premises.

~~Use of electronic smoking devices on school grounds. No person shall use an electronic smoking device or use any tobacco product on school grounds or in school buildings.~~

~~Prohibition against smoking. Smoking is prohibited in any of the following:~~

~~Any place in which tobacco smoking is prohibited under §101.123~~

~~Any enclosed indoor area where smoking tobacco is prohibited under §101.123~~

~~All municipal premises, excluding parkland.~~

Chapter 122

TRAFFIC AND VEHICLES¹**Article I. In General**

Sec. 122-1. State statutes and administrative code adopted.
 Secs. 122-2--122-30. Reserved.

Article II. Administration and Enforcement

Sec. 122-31. Penalties.
 Sec. 122-32. Enforcement procedure.
 Sec. 122-33. Deposits.
 Sec. 122-34. Petition to reopen judgment.
 Sec. 122-35. Parking citations and forfeitures.
 Secs. 122-36--122-60. Reserved.

Article III. Operation of Vehicles**Division 1. Generally**

Sec. 122-61. Through highways designated.
 Sec. 122-62. Stop signs.
 Sec. 122-63. One-way streets.
 Sec. 122-64. School bus warning lights.
 Sec. 122-65. Use of vehicles with lugs.
 Sec. 122-66. Heavy traffic routes designated.
 Sec. 122-67. Heavy traffic prohibited.
 Sec. 122-68. Signs and maps for heavy traffic routes.
 Sec. 122-69. Additional penalties.
 Sec. 122-70. Special or seasonal weight restrictions.
 Secs. 122-71--122-90. Reserved.

Division 2. Speed

Sec. 122-91. Speed limits.
 Secs. 122-92--122-120. Reserved.

Article IV. Stopping, Standing and Parking

Sec. 122-121. Designation of parking.

¹ **Cross references:** Vehicles at cemeteries, § 26-10; courts, ch. 34; junked vehicles, § 46-31 et seq.; law enforcement, ch. 70; offenses and miscellaneous provisions, ch. 82; operation of motor vehicles, § 82-162; use of compression brakes on motor vehicles, § 82-163; streets, sidewalks and other public places, ch. 106.

- Sec. 122-122. Temporary suspension of parking regulations.
- Sec. 122-123. Parking of commercial vehicles generally.
- Sec. 122-124. Parking of commercial vehicles in residential areas.
- Sec. 122-125. Repair of vehicles on street.
- Sec. 122-126. Winter parking restrictions.
- Sec. 122-127. Parking between 2:00 a.m. and 6:00 a.m.
- Sec. 122-128. Two-hour parking zones.
- Sec. 122-129. No parking zones.
- Sec. 122-130. Restricted parking during specified hours.
- Sec. 122-131. Parking for emergency vehicles only.
- Sec. 122-132. Municipal Parking Lots Restrictions.
- Sec. 122-133. Permit for overnight parking in public parking lots.
- Sec. 122-134. Parking or standing on private property limited or prohibited.
- Sec. 122-135. Parking of campers and trailers.
- Sec. 122-136. Unregistered Vehicles
- Secs. 122-137--122-160. Reserved.

Article V. Traffic Control Signs, Signals and Devices

- Sec. 122-161. Installation and maintenance.
- Sec. 122-162. Removal of unofficial devices.
- Secs. 122-163--122-190. Reserved.

Article VI. Abandoned Vehicles

- Sec. 122-191. Forty-eight (48) hour parking prohibited.
- Sec. 122-192. Removal and impoundment authorized.
- Sec. 122-193. Disposition of impounded vehicles.
- Sec. 122-194. Payment of costs of impoundment and sale.
- Sec. 122-195. Notice to state division of motor vehicles of disposition of vehicle.
- Secs. 122-196--122-220. Reserved.

Article VII. Bicycles

- Sec. 122-221. Penalty.
- Sec. 122-222. Registration and license required.
- Sec. 122-223. Application for license.
- Sec. 122-224. Inspection prior to licensing.
- Sec. 122-225. Issuance of license.
- Sec. 122-226. Cancellation of license.
- Sec. 122-227. Notification of change in ownership; transfer of license.
- Sec. 122-228. Warning device required.
- Sec. 122-229. Operating with feet removed from pedals.
- Sec. 122-230. Trick riding.
- Sec. 122-231. Parking.
- Sec. 122-232. Pedestrian right-of-way.

Sec. 122-233. Riding on sidewalk.
Secs. 122-234--122-260. Reserved.

Article VIII. Snowmobiles

Sec. 122-261. Adoption of state law.
Sec. 122-262. Restrictions on operation.
Sec. 122-263. Snowmobile trails and routes.
Secs. 122-264--122-290. Reserved.

Article IX. Railroads

Sec. 122-291. Trains blocking streets.

Article X. Neighborhood Electric Vehicles

Sec. 122-300. Definition of neighborhood electric vehicle.
Sec. 122-301. Operation of neighborhood electric vehicle.

Article XI. Taxicabs

Sec. 122-310. Vehicle license required.
Sec. 122-311. Vehicle license application.
Sec. 122-312. Vehicle license conditions.
Sec. 122-313. Operator license required.
Sec. 122-314. Operator license application.
Sec. 122-315. Operator license conditions.
Sec. 122-316. Suspension or revocation.

ARTICLE I. IN GENERAL

Sec. 122-1. State statutes and administrative code adopted.

(a) *State traffic laws.* Except as otherwise specifically provided in this Code, the statutory provisions in Wis. Stats. chs. 340--348, as amended, 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 hereby adopted and by reference made a part of this Code as if fully set forth in this section. Any act required to be performed or prohibited by any statute incorporated in this section by reference is required or prohibited by this Code. Any future amendments, revisions or modifications of the statutes incorporated in this section are intended to be made part of this Code in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the state.

(b) *State standards for motor vehicle equipment.* The administrative provisions describing and defining standards for motor vehicle equipment in Wis. Admin. Code ch. TRANS 305, exclusive of any provisions therein relating to the penalties to be imposed, are hereby adopted by reference and made a part of this chapter as if fully set forth in this section.

(Code 1986, § 7.00)

Secs. 122-2--122-30. Reserved.

ARTICLE II. ADMINISTRATION AND ENFORCEMENT²

Sec. 122-31. Penalties.

(a) *Generally.* The penalty for violation of any provision of this chapter shall be a forfeiture and penalty assessment if required by Wis. Stats. § 165.87, a jail assessment if required by Wis. Stats. § 302.46, plus any applicable fees prescribed in Wis. Stats. ch. 814.

(b) *State forfeiture statutes.* Forfeitures for violation of section 122-1 shall conform to the forfeiture permitted to be imposed for violation of the statutes adopted by reference, including any variations or increases for subsequent offenses.

(c) *State fine statutes.* The forfeiture for violation of any statute adopted by reference under this chapter for which the penalty is a fine shall not exceed the maximum fine permitted under such statute.

(d) *Local regulations.* The penalty for violation of this chapter, except for section 122-1, shall be as provided in section 1-11.

² **Cross references:** Administration, ch. 2.

(Code 1986, § 7.15)

Sec. 122-32. Enforcement procedure.

This chapter shall be enforced according to Wis. Stats. §§ 23.33, 66.12, and 345.11--345.61, and Wis. Stats. ch. 800.

(Code 1986, § 7.16(1))

Sec. 122-33. Deposits.

(a) Any person arrested for a violation of this chapter may make a deposit of money as directed by the arresting officer at the police station or at the office of the clerk of court or by mailing the deposit to such places. The arresting officer or the person receiving the deposit shall notify the arrested person, orally or in writing, that:

- (1) If the person makes a deposit for a violation of a traffic regulation, the person need not appear in court at the time fixed in the citation and the person will be deemed to have tendered a plea of no contest and submitted to a forfeiture and penalty assessment if required by Wis. Stats. § 165.87, a jail assessment if required by Wis. Stats. § 302.46, plus any applicable fees prescribed in Wis. Stats. ch. 814, not to exceed the amount of the deposit that the court may accept as provided in Wis. Stats. § 345.26. For municipal ordinance violations, persons failing to appear will be dealt with in accordance with Wis. Stats. § 800.09(2)(b).
- (2) If the person fails to make a deposit for a violation of a traffic regulation or appear in court at the time fixed in the citation, the court may enter a default judgment finding the person guilty of the offense and/or issue a warrant for his arrest.

(b) The amount of the deposit shall be determined in accordance with the deposit schedule established by the Wisconsin Judicial Conference and shall include the penalty assessment established under Wis. Stats. § 165.87, a jail assessment if required under Wis. Stats. § 302.46, and court costs. If a deposit schedule has not been established, the arresting officer shall require the alleged offender to deposit the forfeiture established by the police chief, which shall include the penalty assessment established under Wis. Stats. § 165.87. Deposits for moving violations shall not include the penalty assessment.

(c) The arresting officer or the person receiving the deposit shall issue the arrested person a receipt therefor as required by Wis. Stats. § 345.26(3)(b).

(Code 1986, § 7.16(2))

Sec. 122-34. Petition to reopen judgment.

Whenever a person has been convicted in this state on the basis of a forfeiture of deposit or a plea of guilty or no contest and the person was not informed as required under Wis. Stats. § 345.27(1) and (2), the person may, within 60 days after being notified of the revocation or suspension of the operating privilege, petition the court to reopen the judgment and grant him an opportunity to defend on the merits. If the court finds that the petitioner was not informed as required under Wis. Stats. § 345.27(1) and (2), the court shall order the judgment reopened. The court order reopening the judgment automatically reinstates the revoked or suspended operating privilege.

(Code 1986, § 7.16(3))

Sec. 122-35. Parking citations and forfeitures.

Citations for all nonmoving traffic violations under this chapter shall conform to Wis. Stats. § 345.28, and shall permit direct mail payment of the forfeiture to the police department within five days of the issuance of the citation in lieu of court appearance. The amount of the applicable forfeiture shall be as established by the city council from time to time.

(Code 1986, § 7.16(4))

Secs. 122-36--122-60. Reserved.

ARTICLE III. OPERATION OF VEHICLES

DIVISION 1. GENERALLY

Sec. 122-61. Through highways designated.

In the interest of public safety and pursuant to Wis. Stats. § 349.07, the following streets or portions thereof are declared to be through highways, and traffic signs or signals giving notice thereof shall be erected by the municipal services committee:

Madison Street from Union Street the south city limits, except vehicles entering from Union Street, which need not stop, except when traffic on Madison Street is controlled by a mechanically operated sign or a police officer and except for stop signs at Main Street and at Union Street.

Main Street from Fourth Street to the east city limits, except for stop signs at Madison Street and Union Street.

North Fourth Street from West Main Street to the west city limits.

(Code 1986, § 7.02, Ord. 2006-12, Ord. 2014-02)

Sec. 122-62. Stop signs.

(a) *Authorized.* In the interest of public safety and pursuant to Wis. Stats. § 349.07(8), the locations designated in this section, being streets or portions thereof, are

declared to be subject to a stop sign, requiring traffic approaching the sign to stop before proceeding.

(b) *Locations.* At each of the following enumerated locations there shall exist a stop sign:

- First Street and Garfield, northeast side.
- First Street and Garfield, northwest side.
- First Street and Garfield, southeast side.
- First Street and Garfield, southwest side.
- First Street and Grove Street, southeast side.
- First Street and Liberty Street, northeast side.
- First Street and Liberty Street, northwest side.
- First Street and Liberty Street, southeast side.
- First Street and Liberty Street, southwest side.
- First Street and Main Street, northwest side.
- First Street and Main Street, southeast side.
- Second Street and Lincoln Street, northwest side.
- Second Street and Lincoln Street, southeast side.
- Second Street and Lincoln Street, southwest side.
- Third Street and Church Street, northeast side.
- Third Street and Church Street, northwest side.
- Third Street and Church Street, southeast side.
- Third Street and Church Street, southwest side.
- Third Street and Liberty Street, northeast side.
- Third Street and Liberty Street, northwest side.
- Third Street and Liberty Street, southeast side.
- Third Street and Liberty Street, southwest side.
- Third Street and West Main Street, southeast side.
- Fourth Street and Badger Drive, northwest side.
- Fourth Street and Badger Drive, southeast side.
- Fourth Street and Badger Drive, southwest side.
- Fourth Street and Garfield Avenue, northeast side.
- Fourth Street and Garfield Avenue, southwest side.

Fourth Street and Kinsey Court, northeast side.
Fourth Street and Liberty Street, northeast side.
Fourth Street and Liberty Street, northwest side.
Fourth Street and Liberty Street, southeast side.
Fourth Street and Liberty Street, southwest side.
Fourth Street and Lincoln Street, northeast side.
Fourth Street and Lincoln Street, northwest side.
Fourth Street and Lincoln Street, southeast side.
Fourth Street and Lincoln Street, southwest side.
Fifth Street and Badger Drive, northeast side.
Fifth Street and Badger Drive, northwest side.
Fifth Street and Badger Drive, southeast side.
Fifth Street and Badger Drive, southwest side.
Fifth Street and Fourth Street, southeast side.
Fifth Street and Garfield Avenue, northeast side.
Fifth Street and Garfield Avenue, southwest side.
Fifth Street and Meadow Lane, northeast side.
Fifth Street and Porter Road, northwest side.
Fifth Street and Porter Road, southeast side.
Fifth Street and Porter Road, southwest side.
Fifth Street and Vision Drive, southwest side.
Fifth Street and West Main Street, northeast side.
Fifth Street and West Main Street, northwest side.
Fifth Street and West Main Street, southeast side.
Fifth Street and West Main Street, southwest side.
Sixth Street and Porter Road, intersection, four-way stop signs.
Sixth Street and Vision Drive, northeast side.
Sixth Street and Vision Drive, northwest side.
Sixth Street and Vision Drive, southeast side.
Sixth Street and West Main Street intersection, four-way stop signs.
Abey Drive and Fifth Street, southwest side.
Seventh Street and Porter Road, intersection, four-way stop signs. (Includes entrance/exit to 700 Porter Road)

Abey Drive and Sixth Street, northeast side.
Almeron Street and South Water Street, southeast side.
Almeron Street and Walker Street, northwest side.
Badger Drive and Hickory Street, north west side
Badger Drive and Hickory Street, south east side
Braeburn Way and North Orchard View, southeast side.
Braeburn Way and Cortland Drive, northeast side.
Brown School Road and J. Lindemann Drive, northeast side.
Brown School Road and J. Lindemann Drive, southeast side.
Brown School Road and J. Lindemann Drive, southwest side.
Campion Drive and Garfield Avenue, northwest side.
Campion Drive and Garfield Avenue, southeast side.
Cemetery Road and East Main Street, northwest side.
Cherry Street and South Water Street, southeast side.
Cherry Street and Walker Street, northwest side.
Chestnut Street and Badger Drive, southeast side.
Chestnut Street and Prairie View Drive, northwest side
Church Street and First Street, northeast side.
Church Street and First Street, northwest side.
Church Street and First Street, southeast side.
Church Street and First Street, southwest side.
Church Street and Maple Street, northeast side.
Church Street and Maple Street, northwest side.
Church Street and Maple Street, southeast side.
Church Street and Maple Street, southwest side.
Church Street and Second Street, northeast side.
Church Street and Second Street, northwest side.
Church Street and Second Street, southeast side.
Church Street and Second Street, southwest side.
Church Street and South Madison Street, northeast side.
Church Street and South Madison Street, southwest side.

Cortland Drive and Orchard View Drive, southeast side.
Countryside Drive and East Main Street, northwest side.
County Highway M and East Countryside Drive, southwest corner.
Deanna Drive and East Countryside Drive, southeast corner.
Debbie Drive and Windsor Lane, northwest side.
Debbie Drive and Countryside Drive, southeast side.
East Main Street and Union Street, northeast side.
East Main Street and Union Street, south side.
Elijah Court and Abey Drive, southeast side.
Enterprise Street and Church Street, southeast side.
Enterprise Street and South Water Street, northwest side.
Fair Street and Second Street, southeast side
Fair Street and Second Street, southwest side.
Fair Street and Second Street, northwest side.
Francis Street and Cherry Street, northeast side.
Franklin Street and South Union Street, northeast corner.
Garfield Avenue and Clifton Street, northwest side.
Garfield Avenue and Eager Court, northwest side.
Garfield Avenue and Joshua Drive, northwest side.
Garfield Avenue and North Third Street, northwest side.
Garfield Avenue and Sherman Avenue, northwest side.
Garfield Avenue and Sixth Street, northeast side.
Garfield Avenue and Sixth Street, southwest side.
Garfield Avenue and North Second Street, northeast side.
Garfield Avenue and North Second Street, southwest side.
Gold Coast Lane and Abey Drive, southeast side.
Gold Coast Lane and Fifth Street, northwest side.
Greenview and Countryside Drive, southeast side.
Greenview and North Water Street, southeast side.
Gunther Drive and East Countryside Drive, southeast side.
Gunther Drive and Windsor Lane, northwest side.

Hancock Lane and East Countryside Drive, southeast side.
Hancock Lane and Windsor Lane, northwest side.
Higgins Drive and Badger Drive, northeast side.
Higgins Drive and Badger Drive, northwest side.
Higgins Drive and Badger Drive, southeast side.
Higgins Drive and Badger Drive, southwest side.
Higgins Drive and Fifth Street, northeast side.
Highland Street and South 1st Street, southwest side.
Highland Street and South 2nd Street, northeast side.
Jackson Street and East Main Street, southeast side.
Joshua Drive and Sixth Street, northeast side.
Liberty Street and Second Street, northeast side.
Liberty Street and Second Street, northwest side.
Liberty Street and Second Street, southeast side.
Liberty Street and Second Street, southwest side.
Liberty Street and South Madison Street, northeast side.
Liberty Street and South Madison Street, southwest side.
Lincoln Street and Third Street, northeast side.
Lincoln Street and Third Street, northwest side.
Lincoln Street and Third Street, southeast side.
Lincoln Street and Third Street, southwest side.
Longfield Street and Fair Street, northwest side.
Longfield Street and Lincoln Street, southeast side.
Madison Street and Union Street, west side.
Maple Street and East Main Street, southeast side.
Maple Street and South Water Street, northwest side.
Millard Court at West Main Street, southeast side.
Mill Street and North Madison Street, northeast side.
Montgomery Court and North Madison Street, northeast side.
Noahs Arc Court and North Water Street, northeast side.
North Second Street and Grove Street, west side.

North Second Street and West Main Street, northwest side.
North Second Street and West Main Street, southeast side.
North Madison Street and Main Street, northeast side.
North Madison Street and Main Street, northwest side.
North Madison Street and Main Street, southeast side.
North Madison Street and Main Street, southwest side.
North Madison Street and Union Street, southwest side.
North Water Street and East Countryside Drive, southeast side.
North Water Street and East Main Street, northwest side.
North Water Street and East Countryside Drive, northeast side.
North Water Street and East Countryside Drive, northwest side.
North Water Street and East Countryside Drive, southwest side.
North Water Street and Genesis Drive, southwest side.
North Water Street and Noahs Arc Court, northeast side.
North Water Street and Hosanna Heights Circle, southwest side.
Old 92 and South 1st Street, northwest side.
Old Highway 92 and South Madison Street, southwest side.
Orchard View Drive and County Road M, northeast side.
Park Street and Grove Street, northeast side.
Park Street and Grove Street, northwest side.
Park Street and North Madison Street, southwest side.
Parkview Blvd and South 6th Street, southwest side.
Prairie View Drive and South 6th Street, southwest side.
School Street and South First Street, northeast side.
School Street and South Madison Street, southwest side.
South Sixth Street and Prairie View Drive, south west side
S Seventh St and Badger Northeast side
S Seventh St and Badger Northwest side
S Seventh St and Badger Southeast side
S Seventh St and Badger Southwest side
S Seventh St and Westfield Ave Northeast side

S Seventh St and Porter Rd Southeast side
S Seventh St and Prairie View Dr Northeast side
S Seventh St and Locust La Northeast side
South Union Street and South Water Street, northwest side
South Water Street and East Main Street, southeast side.
Stonewood Ct and Locust La Southwest side
Union Street and East Main Street, northwest side.
Union Street and East Main Street, northeast side
Union Street and East Main Street, southeast side
Union Street and East Main Street, southwest side
Walker Street and South Madison Street, northeast side.
Water Street and South Madison Street, northeast side.
West Main Street and Fourth Street, northeast side.
West Main Street and Fourth Street, northwest side.
West Main Street and Fourth Street, southeast side.
West Main Street and Fourth Street, southwest side.
West Main Street and Prentice Street, northwest side.
West Main Street and Prentice Street, southeast side.
West Main Street and Spencer Drive, northwest side.
Westfield Avenue and Badger Drive, northwest side.
Windsor Lane and North Water Street, northeast side.

(c) *Traffic Signal Locations.* In the interest of public safety, the following intersections are declared controlled intersections and official traffic control signals shall be installed thereon in conformity with the Wisconsin Official Traffic Control Device Manual at the following locations:

County Highway M and Highway 14

(d) *Installation of signs.* The municipal services committee and the municipal services department shall procure and erect stop signs at each of the locations enumerated in subsection (b) of this section.

(e) *Enforcement and penalties.* Enforcement of the stop sign requirements shall be pursuant to article II of this chapter.

(Code 1986, § 7.12; Ord. No. 1999-4, § 1, 4-13-1999; Ord. No. 1999-12, § 1, 8-10-1999; Ord. No. 1999-19, § 1(7.12), 11-9-1999; Ord. No. 2000-16, § 1, 10-10-2000; Ord. No. 2001-10, § 1, 1-8-2002; Ord. No. 2002-3, § 1, 4-9-2002; Ord. No. 2003-8, § 1, 8-12-2003, Ord. 2004-27, Ord. 2005-11, Ord. 2005-30, Ord. 2006-12, Ord. 2006-13, Ord. 2006-14, Ord. 2006-15, 2006-26, 2006-45, Ord. 2011-10, Ord. 2014-02, Ord. 2016-05, Ord 2018-02, Ord. 2021-11)

Sec. 122-63. One-way streets.³

(a) *Authorized.* In the interest of public safety and pursuant to Wis. Stats. § 349.10(1)(a), the locations designated in this section, being streets, alleys, driveways, or parking lots or portions thereof under the control and authority of the city, are declared to be subject to one-way direction of travel or parking.

(b) *Locations.* On each street, alley, driveway, parking lot, or portion thereof enumerated in this subsection, the direction of travel and parking shall be as shown:

Montgomery Court between North Madison Street and First Street, travel and parking from east to west.

Railroad Street between East Main Street and Mill Street, travel and parking from south to north.

Mill Street between Railroad Street and North Madison Street, travel and parking from east to west.

(c) *Installation of signs.* The municipal services committee and the municipal services department shall procure and erect one-way direction signs and direction parking signs, as needed, for each location enumerated in subsection (b) of this section.

(d) *Enforcement and penalties.* Enforcement of the one-way travel and parking requirement shall be pursuant to article II of this chapter.

(Ord. No. 1999-15, § 1(7.13), 10-12-1999, Ord. 2008-21, Ord. 2014-02)

Sec. 122-64. School bus warning lights.

Pursuant to § 349.21, Wis. Stats., school bus operators may use flashing red warning lights in a residence or business district in locations where there are no crosswalks or traffic signals when pupils or other authorized persons must cross the street or highway before being loaded or after being unloaded.

(Ord. No. 2002-8, § 1, 11-22-2002)

Sec. 122-65. Use of vehicles with lugs.

No person shall drive, operate, propel or haul any machine or vehicle whatsoever having wheels with spikes, lugs, or ridges, or having the wheels on such machine or vehicle tied, chained or locked, upon, across or along any street paved with asphalt,

³ **Cross references:** Streets, sidewalks and other public places, ch. 106.

asphaltic macadam, asphaltic concrete, macadam, or other material susceptible to injury by such wheels; provided, however, that if the reasonable use or operation of such machine or vehicle is impossible without crossing or passing along any such street, the city administrator may authorize the use of such street or portion thereof in writing, but only upon condition that the pavement shall be planked or otherwise covered to prevent injury from such wheels.

(Ord. 2005-5)

Sec. 122-66. Heavy traffic routes designated.

(a) The following streets and highways are declared to be heavy traffic routes pursuant to Wis. Stat. § 349.17(1):

Madison Street from Union Street to the south city limits.

West Main Street from Fourth Street to Madison Street.

East Main Street from Union Street to the east city limits.

North Fourth Street from West Main Street to the west city limits.

Union Street from East Main Street to the north city limits.

South Union Street from Water Street to East Main Street.

Water Street from South Madison Street to East Main Street.

(Ord. 2005-5, Ord. 2010-06)

Sec. 122-67. Heavy traffic prohibited.

(a) Heavy traffic, which for purposes of this section means any vehicle with a gross weight (as defined in Wis. Stat. § 340.01) in excess of 12,000 pounds, is prohibited from using any street or highway in the city not designated a heavy traffic route under section 122-66, except as follows:

- (1) A person operating a vehicle with a gross weight (as defined in Wis. Stat. § 340.01) in excess of twelve thousand pounds but equal to or less than thirty thousand pounds may travel to a business or residence not on a heavy traffic route for the purpose of obtaining orders for supplies or moving or delivering supplies or commodities to or from such business or residence, provided that such person causes the vehicle leave and return to a heavy traffic route at a point nearest to such business or residence, unless such person will travel to another business or residence not on a heavy traffic route for the purpose of obtaining orders for supplies or moving or delivering supplies or commodities to or from such destination and the driving distance between this next destination and the current destination is less than the distance between the current destination and the nearest heavy traffic route.
- (2) A person operating a vehicle with a gross weight in excess of thirty thousand pounds shall be subject to the requirements of clause (1) of paragraph (a) of this section, and in addition thereto shall travel to only one business or residence not on a heavy traffic route for the purpose of obtaining orders for supplies or moving or delivering supplies or commodities to or from such destination on

each deviation. A “deviation” is defined as an interval in which a vehicle leaves and returns to a heavy traffic route by the shortest possible route.

- (3) The chief of police may grant temporary permits to allow heavy construction equipment to use streets or highways not designated heavy traffic routes. Such permits shall be in writing. Such permits may be granted only when use of a non-designated street or highway is necessary for equipment to reach a construction site, and no permit shall be granted unless the person or corporation owning the equipment pays a fee to the city and agrees in writing to reimburse and hold the city harmless for any damage done to the non-designated street or highway by the equipment and any personal injury or property damage cause in part or in whole by such damage to the street or highway. The common council by resolution shall establish and may from time to time amend the fee required by this paragraph, which shall be set forth in appendix A.
- (4) Vehicles owned by federal or state governments, or political subdivisions thereof shall not be restricted as set forth in this section.
- (5) This section does not apply to streets or highways over which are routed state trunk highways.
- (6) Any lesser gross weight established as a special or seasonal weight limitation under section 122-70 shall supersede any limitations or exceptions under this section.

(Ord. 2005-5, Ord. 2010-06)

Sec. 122-68. Signs and maps for heavy traffic routes.

Appropriate signs shall be posted giving notice of section 122-67 and of the heavy traffic routes designated in section 122-66. Yellow sign posts may also be used to designate heavy traffic routes. Maps of the city showing heavy traffic routes shall be prepared and shall be available upon request at city hall and the police department headquarters.

(Ord. 2005-5)

Sec. 122-69. Additional penalties.

In addition to the penalties provided in section 122-31, any person or corporation that owns or operates a vehicle or equipment that damages any street or highway in the city while such vehicle or equipment is being operated in violation of section 122-65, 122-67 or 122-70 shall be liable and required to pay the city the cost of repair or replacement of the damaged street or highway.

(Ord. 2005-5, Ord. 2010-06)

Sec. 122-70, Special or Seasonal Weight Limitations.

Pursuant to procedures and limitations of Wisconsin Statutes, Section 349.16, the Superintendent of Municipal Services may:

- (a) Impose special weight limitations on any highway maintained by the city or portion thereof which, because of weakness of the roadbed due to deterioration or climatic conditions or other special or temporary condition, would likely be seriously damaged or destroyed in the absence of such special limitations;
- (b) Impose special weight limitations on bridges or culverts when in its judgment such bridge or culvert cannot safely sustain the maximum weights permitted by statute;
- (c) Order the owner or operator of any vehicle being operated on a highway to suspend operation if in its judgment such vehicle is causing or likely to cause injury to such highway or is visibly injuring the permanence thereof or the public investment therein, except when Wisconsin Statutes, Section 84.20, is applicable or when the vehicle is being operated pursuant to a contract which provides that the governmental unit will be reimbursed for any damage done to the highway. Traffic officers also may order suspension of operation under the circumstances and subject to the limitations stated in this paragraph c.

(Ord. 2010-06, Ord. 2014-02)

Secs. 122-71--122-90. Reserved.

DIVISION 2. SPEED

Sec. 122-91. Speed limits.

The council determines the statutory speed limits on the following streets or portions thereof are unreasonable, unsafe or imprudent and modifies such speed limits under Wis. Stats. §§ 346.57 and 349.11, as follows:

- (1) *Twenty-five miles per hour.*
East Main Street from Union Street to the intersection of County Trunk M and U.S. Highway 14.
North Madison Street from Union Street to Main Street.
South Madison Street from Main Street to the south city limits.
Union Street from East Main Street to North Madison Street.
- (2) *Thirty-five miles per hour.*
Cemetery Road.
County Trunk M from the north city limit to the south city limit.

Old Highway 92.
Union Street from North Madison Street to the north city limit.

(3) *Fifteen miles per hour.*

Antes Drive.
Burr W. Jones Circle.
Leonard Park Drive.
Westside Park Service Road.

(Code 1986, § 7.01; Ord. No. 1998-15, § 1, 10-13-1998, Ord. 2005-6, Ord. 2007-22; Ord. 2008-16)

Secs. 122-92--122-120. Reserved.

ARTICLE IV. STOPPING, STANDING AND PARKING

Sec. 122-121. Designation of parking.

(a) The municipal services director or other designated person shall, by striping or otherwise, designate parking spaces (either horizontal, diagonal or otherwise) upon such city streets, parking lots or other public places as the council or municipal services committee may from time to time designate or prescribe.

(b) The municipal services director or other designated person shall also, by the erection of appropriate signs, painting of curblines or other clearly understood means, designate areas upon city streets, parking lots or other public places where parking is prohibited pursuant to order of the council or municipal services committee.

(c) No person shall park any vehicle in such areas contrary to the manner indicated by such signs or markings.

(d) No person shall park any vehicle, trailer or other motorized equipment on lawns.

(Code 1986, § 7.03(5), Ord. 2014-02, Ord 2020-15)

Sec. 122-122. Temporary suspension of parking regulations.

Upon request, for special events, the public safety committee may suspend on a temporary basis the parking regulations. The applicant must make request in writing to the chief of police and public safety committee. The request must include the place, date and times for which parking regulation suspension is to be made.

(Code 1986, § 7.03(12))

Sec. 122-123. Parking of commercial vehicles generally.

No commercial vehicles over 17 feet in length shall be parked on the streets of the city, except where parking parallel to the curb is permitted, unless loading or unloading, in which case parking is permitted in diagonal parking spaces, only if the front of such

vehicle is headed toward the center of the street and one of the rear wheels thereof rests on the curb of the street, and then only for a reasonable time in which to accomplish such unloading or loading.

(Code 1986, § 7.03(1))

Sec. 122-124. Parking of commercial vehicles in residential areas.

No person shall park or leave standing or unattended any commercial vehicle more than 20 feet in length for more than two consecutive hours, or while the motor is running, on any city street or alley where abutting property is zoned R-1 or R-2, except to make deliveries, pickups or similar commercial operations in the immediate vicinity or while engaged in the actual process of loading or unloading.

(Code 1986, § 7.03(10))

Sec. 122-125. Repair of vehicles on street.⁴

No person shall remodel, repair or alter any motor vehicle on any street in the city. This section shall not apply to emergency repairs performed on any street in the city within 12 hours after such motor vehicle becomes inoperable which are necessary for the purpose of making such motor vehicle operable.

(Code 1986, § 7.03(9))

Sec. 122-126. Winter parking restrictions.

(a) *Parking during and after snow emergency; restrictions.* A snow emergency is defined based upon forecasted information or observed conditions, and that the accumulation of ice, snow, whether from snowfall or drifting, necessitates snowplowing, snow removal or pavement treatments. Any vehicle parking or left standing in violation of this section may be ticketed a minimum ticket fine of \$100 and/or removed under the direction of the City of Evansville Police Department or Municipal Services Department. The expense of any such removal may be charged to the owner of the vehicle. Removal of said vehicle shall not prevent prosecution under this section.

(b) *Signs and posting.* The Director of Municipal Services shall procure, erect and maintain appropriate traffic signs or markers giving notice of the provisions of this section at or reasonably near the corporate limits on all state and county trunk highways informing motorists when winter parking regulations are in effect.

(c) *Notification.* Notifications shall be made via a press release issued by the Police Department or Municipal Services Department. Failure to receive such notifications shall not excuse any person from the provisions of this subsection.

(Code 1986, § 7.03(2), Ord. 2012-27, Ord 2021-10)

⁴ **Cross references:** Streets, sidewalks and other public places, ch. 106.

Sec. 122-127. Parking between 2:00 a.m. and 6:00 a.m.

When signs have been erected at or reasonably near the corporate limits of the city as provided in Wis. Stats. § 349.13, no person shall park any vehicle in the city on Main Street from its intersection with First Street to its intersection with Union Street, on Madison Street from its intersection with Mill Street to its intersection with Church Street, and on Maple Street from its intersection with Main Street to its intersection with Church Street, at any time between 2:00 a.m. and 6:00 a.m., except physicians on emergency calls.

(Code 1986, § 7.03(3))

Sec. 122-128. Two-hour parking zones.

(a) *Established.* The following described streets and parts of streets in the city are hereby designated and established as two-hour parking zones:

Madison, from Church Street to Mill Street.

Main Street, from the corner of First Street to the middle of the intersection of Maple Avenue.

Maple Street, from East Main Street to the north line of the alley running east and west through Block 9, original plat of the city.

(b) *Parking time limit.* The parking limit in all two-hour parking zones shall be two hours.

(c) *Hours and days when applicable.*

(1) The limited parking in such zones and on such streets shall apply from 9:00 a.m. to 6:00 p.m. on Monday, Tuesday, Wednesday, Thursday and Friday.

(2) On Sunday and on New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day the restricted parking shall not be in force.

(d) *Violations.* When any person shall park any vehicle in a two-hour parking zone, he shall park the vehicle within the space designated for such parking and in the manner of parking indicated as proper. No person shall park any vehicle in excess of such two-hour limit. No person shall cause or permit any vehicle registered in his name to be unlawfully parked as set out in this section.

(Code 1986, § 7.03(4))

Sec. 122-129. No parking zones.

(a) No person shall stop or leave any vehicle standing in any of the following places except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers and while the vehicle is attended by a licensed operator so that it may promptly be moved in case of an emergency or to avoid obstruction of traffic:

(1) In a loading zone.

- (2) In an alley in a business district.
 - (3) Within 10 feet of a fire hydrant, unless a greater distance is designated per Evansville Municipal Code Sec. 122-121.
 - (4) Within 4 feet of the entrance to an alley, a private road or driveway unless a greater distance is designated per Evansville Municipal Code Sec. 122-121.
 - (5) Closer than 15 feet to the near limits of a crosswalk unless otherwise designated under Evansville Municipal Code 122-121.
 - (6) As an obstruction to United States Postal Service delivery to mail boxes.
- (b) *Designated.* The following described streets and parts of streets in the city are hereby designated and established as no parking zones:

Church Street, both sides from South Madison Street to the westerly property line of 11 West Church Street, for temporary 15 minute parking only, with parking spots to be outlined in white for individual cars.

Church Street, both sides from the westerly property line of 11 West Church Street to the westerly property line of 22 West Church Street, for emergency personnel parking only.

College Drive, both sides, from South Fourth Street to West Church Street.

East Church Street, south side, from Enterprise Street to Allen Creek.

East Church Street, south side, from South Madison Street to Maple Street.

East Main Street, both sides, from Union Street to the east city limits.

Leonard Park Drive, both sides, from North Second Street to Grove Street.

Mill Street, from North Madison Street to Railroad Street on the southeast corner.

Montgomery Court, south side, from North First Street to North Madison Street.

North Fourth Street, southwest side, from West Main Street to the west city limit.

North Madison Street, both sides, from Allen Creek to Union Street.

North Madison Street, west side, from Montgomery Court to Allen Creek.

Railroad Street, east side, from East Main Street to Mill Street.

Railroad Street, west side, from East Main Street to the alley.

South Fourth Street, both sides, from Badger Drive to its south end.

South Madison Street, west side, from Church Street to the south city limit.

South Union Street, east side, from East Main Street to Water Street.

Union Street, both sides, from the north city limits to Main Street.

Walker Street, both sides, from Cherry Street to east end of Walker Street.

Water Street, south and east sides, from Allen Creek to East Main Street.

Water Street, south side from Madison Street to Allen Creek

West Main Street, north side, from First Street to Fourth Street.

West Main Street and North Madison Street, northwest corner, one stall only for handicap parking.

- (c) *Violations.* No person shall park any vehicle in the no parking zones at any time. This subsection does not, however, prohibit temporary stopping of a vehicle for the purpose of receiving or discharging passengers or loading or unloading, provided the vehicle is attended by a licensed operator.

(d) *Installation of signs.* Official traffic signs or markers giving notice of such no parking zones shall be placed or erected by the municipal services committee.

(Code 1986, § 7.03(7), Ord. 2005-7, Ord. 2005-52, Ord. 2010-05, Ord. 2011-11, Ord. 2011-18, Ord. 2012-25, Ord. 2013-05, Ord. 2014-02, Ord 2016-20, Ord. 2018-13)

Sec. 122-130. Restricted parking during specified hours.

(a) No person shall park or leave standing any motor vehicle on Third Street from Lincoln Street south to the end of Third Street between 7:30 a.m. and 4:00 p.m. on school days.

(b) Reserved.

(c) Reserved.

(d) No person shall park or leave standing any motor vehicle on the north side of Fair Street from Second Street to the school limits between the hours of 7:30 a.m. and 4:00 p.m. on school days.

(e) Reserved.

(f) No person shall park or leave standing any motor vehicle on School Street from Madison to South First Street between the hours of 7:30 a.m. and 4:00 p.m. on school days.

(g) No person shall park or leave standing any motor vehicle on Fourth Street from Badger Drive to Lincoln Street between the hours of 7:30 a.m. and 4:00 p.m. on school days.

(h) Parking shall be permitted in one stall at 115 East Main Street for a period of no more than ten minutes. The ten-minute parking shall apply from 8:00 a.m. to 5:00 p.m. Monday through Friday and 8:00 a.m. to noon on Saturday.

(i) Parking shall be permitted along the north side of Brown School Road, starting from approximately the South West corner of parcel 6-27-959.3 (720 Brown School Road) running east 160 feet, for a period of no more than ten minutes. Exact location and distance shall be designated under Evansville Municipal Code 122-121.

(Code 1986, § 7.03(8); Ord. No. 2002-13, § 1, 1-14-2003, Ord. 2007-13, Ord. 2018-13, Ord. 2019-09, Ord. 2020-15)

Sec. 122-131. Parking for emergency vehicles only.

Church Street, both sides from the westerly property line of 11 West Church Street to the westerly property line of 22 West Church Street shall be designated as authorized emergency vehicle parking only. No person shall park any vehicle not an authorized emergency vehicle or personal vehicle of responding emergency services personnel in that designated location.

(Ord. No. 1999-13, § 1(7.03(13)), 8-10-1999, Ord. 2012-05)

Sec. 122-132. Parking restrictions in public parking lots.

(a) On Monday through Friday of each week, no person shall park or leave standing any unoccupied vehicle in any public parking lot in the city for more than 12 continuous hours in one calendar day. Merely moving the vehicle from one location to another within the same parking lot shall not interrupt the running of the 12-hour period.

(b) From Monday through Friday of each week, no person shall park or leave standing any unoccupied vehicle in any public parking lot in the city between the hours of 2:00 a.m. and 6:00 a.m., except in those areas designated for overnight parking by an annual or temporary residential parking permit and windshield sticker.

(c) No vehicle shall be parked at designated electric charging stations unless the vehicle is connected to the charging station and the charging station is active.

(d) The Chief of Police shall issue parking lot residential parking permits and windshield stickers pursuant to section 122-133.

(e) Notwithstanding the preceding provisions of this subsection, residents may park vehicles in the City of Evansville parking lots for no more than 48 consecutive hours while snow is being cleared from City streets during a snow emergency.

(Code 1986, § 7.03(6), Ord. 2004-11, Ord 2019-09, Ord. 2021-10)

Sec. 122-133. Permit for overnight parking in public parking lots.

(a) *Eligibility; issuance.* Residents of the city may obtain from the chief of police a permit permitting overnight vehicle parking in designated areas of the city parking lots. Only one permit per resident of driving age shall be allowed. The applicant shall complete such form as required by the chief of police. The resident shall receive a sticker to be displayed on the vehicle windshield.

(b) *Temporary permit.* Temporary visitors to the city may obtain from the chief of police a temporary seven-day parking permit permitting overnight vehicle parking in designated areas of the parking lots of the city. The applicant shall complete such form as required by the chief of police. The visitor shall receive a temporary permit and dashboard card to be displayed in the vehicle windshield.

(c) *Snow emergency parking.* Residents may park vehicles within the City of Evansville Municipal Parking Lots without a permit and at no cost, for no more than 48 consecutive hours while snow is being cleared from City streets during a snow emergency.

(d) *Fee.* There shall be a yearly fee, as established by the council from time to time by resolution and as set forth in appendix A, for each calendar year or fraction thereof, for the annual residential parking permit. There shall be no fee for the temporary residential parking permit or for any city resident during a snow emergency

(Code 1986, § 7.03(11), Ord 2021-10)

Sec. 122-134. Parking or standing on private property limited or prohibited.

(a) *Authority* In the interest of public safety and pursuant to Wis. Stats. §§ 349.06(1)(b), 346.55, the common council determines the regulation of parking or standing motor vehicles on private property is necessary.

(b) *No motor vehicle parking or standing without consent.* No person shall leave or park any motor vehicle on private property without the consent of the owner or lessee of the property.

(c) *No motor vehicle parking or standing where limited, restricted or prohibited.* No person shall leave or park any motor vehicle on private property contrary to any sign posted thereon by the owner or lessee limiting or restricting who may park or leave a vehicle or prohibiting parking or leaving of vehicles altogether.

(d) *Property owner or lessee to provide sign.* An owner or lessee of private property who wishes to limit, restrict, or prohibit the leaving or parking of motor vehicles on the property must post a sign that clearly warns of the restrictions or prohibition of parking or leaving of motor vehicles. The property owner or lessee shall obtain and pay any expense of installing and maintaining the required sign.

(Ord. No. 1999-17, § 1(7.03(13)), 11-9-1999)

Sec. 122-135. Parking of campers and trailers.

No person owning or having control of any camping trailer (including but not limited to any trailer as the defined by section 340.01 (71) of the Wisconsin statutes), mobile home, motor bus, motor home, camper bus, gooseneck, fifth wheel, bumper pull behind, pop up, recreational vehicle, or other camper or trailer shall park the same upon any street, highway or public right-of-way of the city for more than four (4) separate days, or any portion thereof, whether consecutive or in the aggregate, within any 30 day period regardless of which street, highway or public right-of-way of the city it is parked on each particular day or portion thereof.

[Ord. 2016-15]

Secs. 122-136. Unregistered Vehicles

(a) No person, firm, corporation or other entity shall park, leave standing and/or unattended any unregistered automobile, truck, motorcycle, or vehicle (including but not limited to any vehicle as defined by section 340.01(74) of the Wisconsin Statutes) on any public street, public parking lot or other city - owned property in the city.

(b) No person, firm, corporation or other entity shall park, leave standing and/or unattended any automobile, truck, motorcycle, or vehicle (including but not limited to any vehicle as defined by section 340.01(74) of the Wisconsin Statutes) on any public street, public parking lot or other city - owned property in the city that fails to properly display registration (as provided under section 341.18(1) of the Wisconsin Statutes).

(c) When any law enforcement officer finds a vehicle standing upon a public

street, parking lot or other city - owned property in violation of the above provisions, the law enforcement officer is authorized to move such vehicle or require the person, firm, corporation or other entity in charge thereof to move such vehicle to a location permitted under this Chapter. The law enforcement officer may cause said vehicle to be removed to a proper impoundment and storage area and in such case the owner shall pay the costs of removal from impound including any storage fees before the owner may obtain possession of the vehicle.

(d) The provisions of sections 122-192 through 122-195 of the code of ordinances is applicable to this section.

(Ord 2017-10)

Secs. 122-137--122-160. Reserved.

ARTICLE V. TRAFFIC CONTROL SIGNS, SIGNALS AND DEVICES

Sec. 122-161. Installation and maintenance.

The municipal services committee shall procure, erect and maintain appropriate standard traffic signs, signals and markings conforming to the rules of the state highway division giving such notice of the provisions of this chapter as required by state law. Signs shall be erected in such locations and manner as the municipal services committee shall determine will best effect the program and purposes of this chapter and give adequate warning to users of the street or highway.

(Code 1986, § 7.04(1), Ord. 2014-02)

Sec. 122-162. Removal of unofficial devices.

The municipal services committee shall have the authority granted by Wis. Stats. § 349.09, and shall cause the removal of a sign, signal, marking or device placed, maintained or displayed in violation of this chapter or Wis. Stats. § 346.41. Any charge imposed on premises for removal of such an illegal sign, signal or device shall be reported to the council at its next regular meeting for review and certification.

(Code 1986, § 7.04(2), Ord. 2014-02)

Secs. 122-163--122-190. Reserved.

ARTICLE VI. ABANDONED VEHICLES

Sec. 122-191. Forty-eight (48) hour parking prohibited.

Forty-eight (48) Hour Limitation. No person, firm or corporation shall park, leave standing and/or unattended any automobile, truck, motorcycle, or vehicle (including but not limited to any vehicle as the defined by section 340.01 (74) of the Wisconsin statutes)

of any description on any public street, public parking lot or other City-owned property in the City for a period of Forty-eight (48) or more consecutive hours in the same location at any time, except that where more restrictive parking limits have been established the more restrictive limits shall apply. When any law enforcement officer shall find a vehicle standing upon a public street, parking lot or other City-owned property in violation of the provisions of this Section, he is authorized to move such a vehicle or to require the operator in charge thereof to move such vehicle to a position permitted under this Chapter. The law enforcement officer may cause said vehicle to be removed to a proper impoundment and storage area and in such case the owner shall pay the costs of removing said vehicle and the storage fees on said vehicle before he may recover the possession thereof.

[Code 1986, § 7.08(1), Ord. 2012-26, Ord 2016-17]

Sec. 122-192. Removal and impoundment authorized.

Any vehicle in violation of this article shall be impounded until lawfully claimed or disposed of under section 122-193, except that if the chief of police or his authorized 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 by the city prior to expiration of the impoundment period upon determination by the chief of police or his authorized representative that the vehicle is not wanted for evidence or other reason.

(Code 1986, § 7.08(2))

Sec. 122-193. Disposition of impounded vehicles.

(a) *Vehicles with value exceeding \$100.00.*

- (1) If the chief of police or his authorized representative determines that the value of the abandoned vehicle exceeds \$100.00, he shall notify the owner and lienholders of record by certified mail that the vehicle has been deemed abandoned and impounded by the city and may be reclaimed within 15 days upon payment of accrued towing, storage and notice charges, and if not so reclaimed shall be sold.
- (2) If an abandoned vehicle determined to exceed \$100.00 in value is not reclaimed within the period and under the conditions as provided in subsection (a)(1) of this section, it may be sold at private sale.
- (3) After deducting the expense of impoundment and sale, the balance of the proceeds, if any, shall be paid into the city treasury.
- (4) All substantially complete vehicles in excess of 19 model years of age shall be disposed of in accordance with Wis. Stats. § 342.40(3)(c).

(b) *Vehicles with value less than \$100.00.* Any abandoned vehicle which is determined by the chief of police or his authorized representative to have a value of less than \$100.00 may be disposed of by direct sale to a licensed salvage dealer upon determination that the vehicle is not reported stolen.

(Code 1986, § 7.08(3))

Sec. 122-194. Payment of costs of impoundment and sale.

The owner of any abandoned vehicle, except a stolen vehicle, is responsible for the abandonment and all costs in impounding and disposing of the vehicle. Costs not recovered for the sale of the vehicle may be recovered in a civil action by the city against the owner.

(Code 1986, § 7.08(4))

Sec. 122-195. Notice to state division of motor vehicles of disposition of vehicle.

Within five days after sale or disposal of a vehicle as provided in section 122-193, the chief of police or his authorized representative shall advise the state department of transportation, division of motor vehicles, of such sale or disposition on a form supplied by the division. A copy of such form shall also be given to the purchaser of the vehicle. A copy shall also be retained on file in the city.

(Code 1986, § 7.08(5))

Secs. 122-196--122-220. Reserved.

ARTICLE VII. BICYCLES⁵

Sec. 122-221. Penalty.

Any person who shall operate any bicycle not properly registered or carrying a proper identification tag as required under this article upon any street in the city, or who shall operate such bicycle in an unsafe manner or in violation of any state law or local ordinance, shall upon conviction thereof be subject to the penalty provided in section 122-31.

(Code 1986, § 7.06(9))

Sec. 122-222. Registration and license required.

No person shall operate and no owner shall consent to be operated in the city any bicycle customarily kept within the city unless at the time of operation it is registered with the city, the license fee therefor paid and the license tag for such bicycle attached thereto and visible for inspection.

(Code 1986, § 7.06(2))

⁵ **Cross references:** Streets, sidewalks and other public places, ch. 106.

Sec. 122-223. Application for license.

Application for a bicycle license shall be made on a form provided by the city clerk-treasurer, at which time the license fee shall be paid. The clerk-treasurer shall issue a license unless the police department recommends that no license be issued as provided in this article.

(Code 1986, § 7.06(4))

Sec. 122-224. Inspection prior to licensing.

The police department shall cause to be inspected each bicycle presented for registration, and if any such bicycle is found to be in an unsafe mechanical condition or not equipped as provided in this article, shall recommend to the city clerk-treasurer that no license be issued until such bicycle is put in proper mechanical condition or is equipped as provided in this article. The chief of police may designate the dates and times during which such inspections shall be conducted.

(Code 1986, § 7.06(5))

Sec. 122-225. Issuance of license.

Upon payment of a license fee by the applicant in such amount as established by the council from time to time by resolution and as set forth in appendix A, the police department shall issue a license tag, which shall permit the bicycle to be operated upon the streets of the city. Unless cancelled or revoked in the manner provided in this article, no further application or fee shall be required for use of such bicycle by the applicant or members of the applicant's immediate family, subject, however, to the provisions of section 122-227.

(Code 1986, § 7.06(3))

Sec. 122-226. Cancellation of license.

The chief of police shall cancel the registration of and remove the identification tag from any bicycle being operated upon any street in the city in an unsafe manner or in violation of any state law or local ordinance. Such cancellation of registration and removal of tag shall be in addition to other penalties provided under this article.

(Code 1986, § 7.06(6))

Sec. 122-227. Notification of change in ownership; transfer of license.

Within ten days after any bicycle registered under this article changes ownership, or is dismantled and taken out of operation, such information shall be reported to the police department by the person in whose name the bicycle has been registered. The transferee shall, within not more than ten days after such transfer, re-register the bicycle and pay a transfer fee as established by the council from time to time by resolution and as set forth in appendix A.

(Code 1986, § 7.06(7))

Sec. 122-228. Warning device required.

No bicycle shall be operated on the city streets unless equipped with either a warning bell or horn.

(Code 1986, § 7.06(8)(b))

Sec. 122-229. Operating with feet removed from pedals.

No person shall operate a bicycle in the city with his feet removed from the pedals.

(Code 1986, § 7.06(8)(c))

Sec. 122-230. Trick riding.

No rider of a bicycle shall remove both hands from the handlebars or practice any trick or fancy riding on any street in the city.

(Code 1986, § 7.06(8)(d))

Sec. 122-231. Parking.

No person shall leave or park a bicycle at such a place or in such a way as to create a hazard to pedestrians, automobile operators or anyone else.

(Code 1986, § 7.06(8)(f))

Sec. 122-232. Pedestrian right-of-way.

This article does not supersede the right of pedestrians to the right-of-way over any bicycle, even though operated in the manner provided in this article.

(Code 1986, § 7.06(8)(h))

Sec. 122-233. Riding on sidewalk.

Bicycles may be ridden on sidewalks except in the business districts as defined on the zoning district map under chapter 130.

(Code 1986, § 7.06(8)(i))

Secs. 122-234--122-260. Reserved.

ARTICLE VIII. SNOWMOBILES

Sec. 122-261. Adoption of state law.

Except as otherwise specifically provided in this chapter, the statutory provisions describing and defining regulations with respect to snowmobiles in the following enumerated sections of the state statutes are hereby adopted by reference and made part of this section as if fully set forth in this section. Acts required to be performed or prohibited by such statutes are required or prohibited by this section:

TABLE INSET:

Wis. Stats. § 350.01	Definitions
Wis. Stats. § 350.02	Operation of snowmobiles on or in the vicinity of highways
Wis. Stats. § 350.03	Right-of-way
Wis. Stats. § 350.035	Meeting of snowmobiles
Wis. Stats. § 350.04	Snowmobile races, derbies and routes
Wis. Stats. § 350.045	Public utility exemption
Wis. Stats. § 350.047	Local ordinance to be filed
Wis. Stats. § 350.05	Operation by youthful operators restricted
Wis. Stats. § 350.07	Driving animals
Wis. Stats. § 350.08	Owner permitting operation
Wis. Stats. § 350.09	Head lamps, tail lamps and brakes, etc.
Wis. Stats. § 350.095	Noise level requirements
Wis. Stats. § 350.10	Miscellaneous provisions for snowmobile operation
Wis. Stats. § 350.101	Intoxicated snowmobiling
Wis. Stats. § 350.102	Preliminary breath screening test
Wis. Stats. § 350.1025	Application of intoxicated snowmobiling law
Wis. Stats. § 350.103	Implied consent
Wis. Stats. § 350.104	Chemical test
Wis. Stats. § 350.106	Report arrest to department
Wis. Stats. § 350.107	Officer's action after arrest for operating a snowmobile while under influence of intoxicant
Wis. Stats. § 350.11	Penalties

Wis. Stats. § 350.12	Registration of snowmobiles; trail use stickers
Wis. Stats. § 350.13	Uniform trail signs and standards
Wis. Stats. § 350.135	Interference with uniform trail signs and standards prohibited
Wis. Stats. § 350.15	Accidents and accident reports
Wis. Stats. § 350.155	Coroners and medical examiners to report; required blood specimen
Wis. Stats. § 350.17	Enforcement
Wis. Stats. § 350.18	Local ordinances
Wis. Stats. § 350.19	Liability of landowners
Wis. Stats. § 350.99	Parties to a violation

(Code 1986, § 7.07(1), Ord. 2011-14)

Sec. 122-262. Restrictions on operation.

- (1) Except as provided in the adopted statutes, no person shall operate a snowmobile upon any public right-of-way, in any public park or on any other public property in the city except on marked routes, trails or areas as are authorized under this article.
- (2) No person shall operate a snowmobile on private property without the consent of the owner or lessee.
- (3) No person shall operate a snowmobile between the hours of 12:00 a.m. and 7:00 a.m.

(Code 1986, § 7.07(3), Ord. 2011-14)

Sec. 122-263. Snowmobile trails and routes.

(a) *Approval.* Persons desiring approval of designated snowmobile trails and routes shall apply for such designation to the public safety committee, or to the authorized representative of the public safety committee. Such application shall include a map showing the trail or route of such proposed way and satisfactory proof that the owners of all land upon which such way is to be laid out have consented thereto. The public safety committee shall have the right to alter or revoke any snowmobile trail or route in its discretion.

(b) *Marking.* Approval of a snowmobile trail or route shall be contingent upon such trail or route being marked by the superintendent of municipal services in substantial

conformity with the requirements of Wis. Admin. Code ch. NR 50.10, and upon the continued maintenance of such markings.

(c) *Routes designated.* The following streets or portions thereof are designated as snowmobile routes:

- (1) *County Trunk Highway M.* On County Trunk Highway M between a point 100 yards south of US Highway 14 and the northerly city limit. Snowmobiles using this route shall travel on the righthand side and conform to the direction of vehicular traffic and shall not exceed the posted speed limit. A crossing of the roadway of County Trunk Highway M shall be a direct crossing, only after stopping and yielding the right-of-way to all vehicles approaching on the roadway.

(d) *Trails designated.* The following corridors are designated as snowmobile trails:

- (1) *Southeast of US Highway 14 and County Trunk Highway M.* Across several private properties south of US Highway 14 and east of County Trunk Highway M connecting the Rock County snowmobile trail in the Town of Union, a point of access for a direct crossing of US Highway 14 near John Lindemann Drive, and a point on County Trunk Highway M 100 yards south of US Highway 14.

(Code 1986, § 7.07(4), Ord. 2011-14, Ord. 2014-02)

Secs. 122-264--122-290. Reserved.

ARTICLE IX. RAILROADS⁶

Sec. 122-291. Trains blocking streets.

No person operating a railroad train, locomotive or railroad car shall obstruct vehicular traffic on public streets at a railway use at such crossing for longer than five continuous minutes or for more than seven minutes out of any 12 continuous minutes.

(Code 1986, § 9.19)

ARTICLE X. NEIGHBORHOOD ELECTRIC VEHICLES

Sec. 122-300. Definition of neighborhood electric vehicle.

Neighborhood electric vehicle (NEV) means a motor vehicle that is propelled by electric power, and that conforms to the definition and requirements for low-speed

⁶ **Cross references:** Streets, sidewalks and other public places, ch. 106.

vehicles as adopted in the federal motor vehicle safety standards for low-speed vehicles under 49 C.F.R. §§ 571.3(b) and 571.500. Neighborhood electric vehicle does not include a golf cart.

Sec. 122-301. Operation of neighborhood electric vehicle.

A person may operate a neighborhood electric vehicle on any City street, including any connecting highway or to an intersection where the roadway crosses a state trunk highway, within the City that has a speed limit of 35 miles per hour or less, subject to the following restrictions:

- (1) The neighborhood electric vehicle must be maintained such that it always satisfies the definition of a neighborhood electric vehicle set forth in Section 122-300 and the requirements stated therein.
- (2) The person operating the neighborhood electric vehicle must hold a valid Wisconsin operator's license or a valid operator's license from another state.
- (3) The neighborhood electric vehicle must be registered pursuant to Wisconsin Statutes, section 341.297.
- (4) Operation on connecting highways or crossing state trunk highways shall be limited to the following:
 - i. STH 213 from Walker Street to US 14.
 - ii. STH 59 from Walker Street to 0.18 miles north of STH 213.
 - iii. US 14 from 0.18 miles north of STH 213 to CTH M.

(Ord. 2007-17, Ord. 2008-02)

ARTICLE XI. TAXICABS.

Sec. 122-310. Vehicle License Required.

No person shall use or keep for hire any motor vehicle for the transportation of persons within the city without first securing a vehicle license from the city. The issuing authority is the Public Safety Committee. This article shall not apply to vehicles used for mass transit or under contract with the city.

Sec.122-311. Vehicle License Application.

Applicants for a vehicle license shall file with the city an application and shall pay the required fee. The application shall include the following:

- (a) Name and address of the owner. If the owner is a partnership, the names and addresses of all partners. If the owner is a corporation, the names and addresses of the officers and directors of the corporation.
- (b) Evidence of liability insurance in the amount of at least three-hundred-thousand dollars (\$300,000.00) for injury to any one person and at least three-hundred-thousand dollars (\$300,000.00) for any one accident.
- (c) A schedule of the rates and charges for transportation within the city limits. The schedule of rates and charges shall not be changed during the license period without approval of the common council.

Sec. 122-312. Vehicle License Conditions.

No vehicle license shall be issued to an applicant that fails to meet the conditions herein. Failure to maintain the conditions throughout the term of the license shall be grounds for its suspension or revocation.

- (a) Liability insurance in the amount of at least three-hundred-thousand dollars (\$300,000.00) for injury to any one person and at least three-hundred-thousand dollars (\$300,000.00) for any one accident shall remain in effect on the vehicle during the term of the license.
- (b) The vehicle license shall be displayed in a conspicuous place within the vehicle.
- (c) The approved schedule of rates shall be displayed in a conspicuous place within the vehicle. If metered, the meter and the display of charges shall be clearly visible.
- (d) The vehicle shall have signage readable from at least two sides of the exterior identifying it as a taxicab.
- (e) The vehicle license shall be valid for a term from July 1 to June 30.

Sec. 122-313. Operator License Required.

No person shall operate a motor vehicle for the transportation of persons within the city without first securing an operator license from the city. The issuing authority is the Public Safety Committee.

Sec. 122-314. Operator License Application.

Applicants for an operator license shall file with the city an application and shall pay the required fee. The application shall include the following:

- (a) Copy of state-issued driver's license.
- (b) Agreement to a criminal history check.

Sec. 122-315. Operator License Conditions.

No operator license shall be issued to an applicant that fails to meet the conditions herein. Failure to maintain the conditions throughout the term of the license shall be grounds for its suspension or revocation.

- (a) The licensee shall have and maintain a valid driver's license.
- (b) The licensee shall be at least eighteen (18) years of age.
- (c) The licensee shall not have been convicted of a felony.
- (d) The licensee shall not have been convicted of operating a motor vehicle in violation of Wisconsin Statute 346.63, as may be amended from time to time, or any other state statute involving the operation of a motor vehicle while under the influence of intoxicant or a controlled substance within five (5) years.
- (e) The operator license with photo identification shall be displayed in a conspicuous place within the vehicle.
- (f) The operator license shall be valid for a term from July 1 to June 30.

Sec. 122-316. Suspension or Revocation.

(a) Notwithstanding Section 22.46(e) of the Municipal Code, in instances when immediate suspension is deemed necessary to maintain public safety, the Chief of Police or his designee may suspend any license issued under this article for up to thirty (30) days.

(b) Any license issued under this article may be revoked for cause by the common council pursuant to Section 22-46 of the Municipal Code.

(c) Violation of this Article is subject to penalty pursuant to Section 1-11 of the Municipal Code.

(Ord. 2008-04)

September 4thth 2024

Evansville Police Department

Public Safety Report

- **Training:**
 - All sworn staff will participate in Firearms training
 - Ofc. Nankee and Schmidt will be taking taser instructor update
 - Quinn will be taking an Incident Based Reporting System training

- **Community Outreach:**
 - Staff will assist with the CSA ride the barns event on 9/15
 - Chief Reese signed up for drug take back day for October

- **Calls for service:** August 2023: 1113 August 2024 (as of 08/28/24 at 10:40AM):921

- **Police Commission/Staffing:** Did not meet in August
 - Officer Delgado is moving into her final field training stage and will be solo patrol sometime in September
 - Officer Laufenberg will be retiring at the end of October

- **Accreditation:**
 - Policy review is being conducted

- **Notable calls (August 1- August 27th):**
 - 109 traffic stops
 - 5 traffic crashes
 - 2 Domestic Violence arrests
 - 3 Battery investigations
 - 7 Welfare checks, one resulting in a transportation to Winnebago Mental Health
 - 1 Stolen vehicle investigation, evidence is being processed for evaluation at the State Crime Lab
 - 1 Taser deployment for an unruly subject
 - Officers are conducting extra patrol around the car dealerships because of recent thefts of cars and burglaries to neighboring communities car dealerships

- **Admin update:**
 - Building a Safer Evansville has agreed to pay for a new drug drop off box to replace our old rusting box. The new box will cost approximately \$5000 after installation. Thank you to Building a Safer Evansville for their contribution and covering the entire cost of the new drop off box



September 4th 2024

Evansville Police Department

Public Safety Report

Lt. Jones and Ofc. Nankee worked on putting together our new taser doc station

Chief Reese obtained quotes on a new squad car one fully gas the other Hybrid. Both Ford Police Interceptors. The Hybrid is \$3087 more than the fully gas powered

Lt. Jones is working on purging old evidence and cleaning out a portion of our evidence room

Quotes for an automatic door to make the lobby handicap accessible have been requested

CAD Incidents By Type

Agency: EVPD

Printed: 8/28/2024 10:40:24 AM

Covering Incidents From: 08/01/2024 00:00:00 To: 08/31/2024 00:00:00

Incident Type Description	# of Incidents	Incident Type Code
911 ABANDONED OR HANGUP OR OPEN LINE	10	911
ABANDONED VEHICLE	1	AVR
ALARM	12	ALARM
ALCOHOL VIOLATION	1	ALC
ANIMAL COMPLAINT	12	ANM
ASSIST CITIZEN	27	ACIT
ASSIST FIRE OR EMS	12	FAST
ASSIST OTHER JURISDICTION	22	OJUR
BATTERY	2	BAT
BURGLARY	1	BUR
BUSINESS CHECK	46	BCK
CHILD OFFENSE	2	CHILD
CIVIL DISPUTE	5	CD
CIVIL PAPER SERVICE	2	CPS
DEPT OF NATURAL RESOURCES COMPLAINT	1	DNR
DISORDERLY CONDUCT	2	DC
DISTURBANCE	4	DIST
ESCORT/TRANSPORT	1	ESCORT
FAMILY PROBLEM	2	FAM
FOLLOWUP	53	FOL
FOOT PATROL	54	FOOT
FRAUD/FORGERY	2	FRD
HARASSMENT	2	HAR
HAZARDOUS CONDITION	7	HAZC
HIT & RUN	2	HR
INTOXICATED SUBJECT	3	1056
KID PROBLEM	2	KID
LOUD NOISE	5	LOUD
MESSAGE DELIVERY	1	MESD
OPEN DOOR/WINDOW	4	OPEN
ORDINANCE VIOLATION	2	ORD
OUT WITH SUBJECT	4	OWS
PARKING COMPLAINT	10	PARK

PHONE MESSAGE FOR OFFICER	1	PHONE
PROPERTY	6	PROPERTY
PUBLIC WORKS/UTILITY	2	PWU
RESTRAINING ORDER/TRO VIOLATION	1	TRO
SECURITY CHECK	407	SECK
SEX OFFENSE	2	SEX
SPECIAL ASSIGNMENT	23	SPAS
SPECIAL EVENT	1	SPEV
STALLED VEHICLE	2	STALLD
SUSPICIOUS	10	SUSP
THEFT	3	THFT
THREAT	1	THREAT
TRAFFIC ACCIDENT	5	TA
TRAFFIC COMPLAINT	11	TC
TRAFFIC STOP	116	T
UNWANTED PERSON	2	NOWN
VANDALISM	3	VAND
VEHICLE UNLOCK	2	UNLK
WELFARE CHECK	7	WELF
Number of CAD Complaints During Period	921	

City of Evansville EMS
11 W. Church St.
Evansville, WI 53536
(608) 882-2269
Chief Carolyn Kleisch
Public Safety Meeting
Sept 4th, 2024

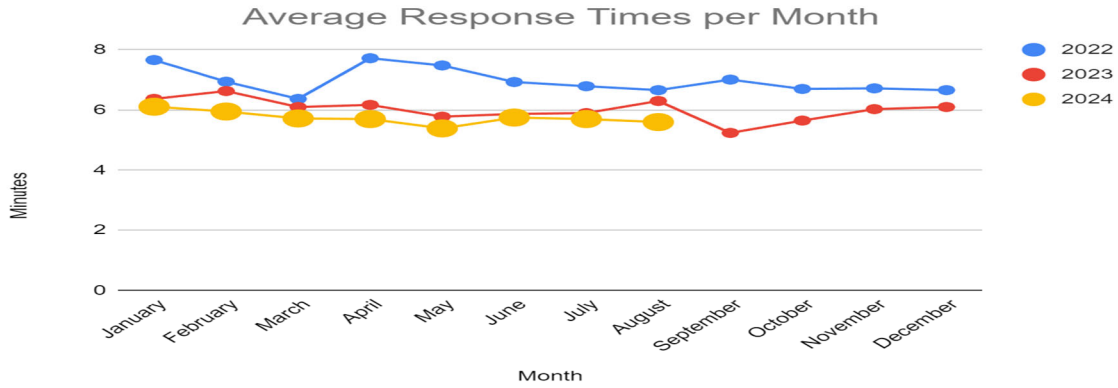
1. Calls for Service:

- a. 59 Calls during the month of Aug 2024 (641-11/642-48) **Numbers through 8/29/24 @ 1500 hours**
- b. 81 Calls during the month of Aug 2023. (641-68/642-13)
- c. To date call volume 2024- 465
- d. To date call volume 2023- 541

Updates:

- 1- EMS training was deferred to Sept/Oct training. ENO was the same night
- 2- 99% of the monthly schedule was covered by at least 1 AEMT on duty, 2-(1-1/2) shifts were not covered by A-Level staff.
- 3- 100% of the EMS responses were at the AEMT level.
- 4- Staff attended the Fire Departments 150th year Parade and Celebration
- 5- Carolyn has been working with Julie and Jason on upcoming Budget proposal
- 6- Chief Kleisch, Chief Reese, Jason and Nick (road guy) met to discuss the parking lot next to EMS office and entry pad area in front of the ambulance bays/PD garages.
Redo/resurfacing
- 7- Staff attended Evansville Night Out on Aug 14th
- 8- Staff taught CPR class to a few residents.
- 9- Scott and Wally got the WiFi in the EMS garage hooked up and working. This along with the generator will allow us both power and internet accessibility when the power is out in town.

Avg Unit Notified to Enroute in Minutes	Avg Unit Enroute to Arrived at Scene in Minutes	Avg Unit Arrived on Scene to Left Scene in Minutes	Avg Unit Left Scene to Arrived at Destination in Minutes	Avg Unit Arrived at Destination to Unit Back In Service in Minutes	Number of Runs
5.60	4.61	20.17	26.95	36.89	59



Incident Complaint Reported By Dispatch (eDispatch.01)	Number of Runs	Percent of Total Runs
Falls	8	13.56%
Chest Pain (Non-Traumatic)	6	10.17%
Convulsions/Seizure	6	10.17%
Sick Person	5	8.47%
Abdominal Pain/Problems	3	5.08%
Chronic Illness/Medical Condition	3	5.08%
Nausea/Vomiting	3	5.08%
Unconscious/Fainting/Near-Fainting	3	5.08%
Altered Mental Status	2	3.39%
Bleeding	2	3.39%
Breathing Problem	2	3.39%
No Other Appropriate Choice	2	3.39%
Back Pain (Non-Traumatic)	1	1.69%
Burns/Explosion	1	1.69%
Dehydration	1	1.69%
Fire Standby	1	1.69%
Heart Problems/AICD	1	1.69%
Invalid Assist/Lifting Assist	1	1.69%
Medical Alarm	1	1.69%
Motor Vehicle Crash	1	1.69%
Pain	1	1.69%
Stroke/CVA	1	1.69%
Traffic/Transportation Incident/MVA	1	1.69%
Unknown Problem/Person Down	1	1.69%
Weakness/Lethargic	1	1.69%
Well Person Check	1	1.69%
Total: 59		Total: 100.00%