

ARTICLE D

Miscellaneous Provisions

SEC. 10-1-50 DISTURBANCE OF THE PEACE WITH A MOTOR VEHICLE.

No driver of any vehicle, including motorcycles, all-terrain vehicles and bicycles, shall cause, by excessive and unnecessary acceleration, the tires of such vehicle or cycle to spin and emit loud noises or to unnecessarily throw stones or gravel; nor shall such driver cause to be made by excessive and unnecessary acceleration any loud noise as would disturb the public peace.

SEC. 10-1-51 RAILROAD REGULATIONS.

- (a) **SPEED LIMITS.** It shall be unlawful for any person, firm, or corporation to run any locomotive, engine, car or cars on any railroad or railway within the limits of the City of Menasha at the rate of speed higher than twelve (12) miles per hour.
- (b) **OBSTRUCTING STREETS.** It shall be unlawful to stop and leave standing any railroad train, locomotive, or car upon or across any street crossing or pedestrian crossing, causing the obstruction of public travel thereon, for a longer period of time than ten (10) minutes. It shall be unlawful to obstruct any street crossing or pedestrian crossing in the City of Menasha for a continuous period of more than ten (10) minutes by the operation of more than one (1) train or locomotive over the same crossing.
- (c) No person, firm, or corporation shall cause or permit the horn or whistle of any locomotive, engine, car or cars of any railroad or railway to be sounded within the City of Menasha except when in the judgment of the operator of the locomotive, engine, car or cars, it is necessary to do so to prevent damage to property or injury to persons.
- (d) No railroad train, locomotive, or engine shall run over any public traveled grade highway crossing, except where gates are operated or a flagman is stationed, unless the engine bell shall be rung continuously for a distance of at least 20 rods prior to such crossing until such crossing be reached.

SEC. 10-1-52 PEDESTRIAN REGULATIONS.

- (a) **PEDESTRIAN OBEDIENCE TO TRAFFIC CONTROL DEVICES AND REGULATIONS.**
 - (1) Obedience to Traffic Control Devices. No person shall fail to obey the instructions of any Uniform Traffic Control Device when traveling as a pedestrian on any highway within the City of Menasha unless otherwise directed by a law enforcement officer.

- (2) Crossing at Crosswalks. No pedestrian shall cross at a crosswalk except on the right half thereof whenever practicable. Where sidewalks are provided, no pedestrian shall walk along and upon an adjacent roadway except when the sidewalk is visibly unsafe, obstructed or closed to public travel.
- (b) **PROHIBITED PEDESTRIAN CROSSINGS.** No pedestrian shall cross between adjacent intersections, unless such crossing is permitted by Official Traffic Control Devices.

SEC. 10-1-53 MOTOR VEHICLES ON PEDESTRIAN WAYS AND OVERPASSES.

No person shall operate or park any motor vehicle on any pedestrian way or pedestrian overpass within the City of Menasha except municipal or county maintenance vehicles.

SEC. 10-1-54 UNAUTHORIZED OPERATION OF MOTOR VEHICLES ON PUBLIC OR PRIVATE PROPERTY.

- (a) **PURPOSE.**
 - (1) The unauthorized off-road operation of motor vehicles has resulted in serious damage to public and private lands including damage or destruction of vegetation, animal life and improvement to the lands; and
 - (2) The unauthorized off-road operation of motor vehicles has resulted in the permanent scarring of land and an increase in both erosion and air pollution; and
 - (3) The unauthorized off-road operation of motor vehicles has resulted in collisions and near collisions threatening the life and safety of the operators of such vehicles as well as of other persons; and
 - (4) The unauthorized off-road operation of motor vehicles has resulted in a loss of the privacy, quietude and serenity to which the owners and users of land are rightfully entitled.
- (b) **DEFINITIONS.** For purposes of this Section, the terms below shall be defined as follows:
 - (1) Unauthorized shall mean without the express prior consent of the owner, lessee, manager or other person authorized to give consent by the owner or lessee of land. Authorization shall not be implied from a failure to post private or public land.
 - (2) Off-Road shall mean any location which:
 - a. Is not a paved or maintained public street or alley; or
 - b. Is not used or maintained by the owner or lessee of land as a driveway, parking lot or other way for motor vehicles; or
 - c. Is a private trail for use only by the owner or his permittees for recreational or other vehicular use. Off-road shall not include any creekbed, riverbed or lake, provided, however, that this Subsection shall not apply to snowmobiles or other vehicles being operated on the ice covering such creekbed, riverbed or lake.

- (3) Operation shall mean the physical manipulation or activation of any of the controls of a motor vehicle necessary to put it in motion.
 - (4) Motor Vehicle shall mean, for purposes of this Section, any vehicle which is self-propelled and shall include but not be limited to automobiles, trucks, jeeps, vans, motorcycles, motorbikes, go-karts, motorized three-wheeled vehicles, all-terrain vehicles, mopeds, snowmobiles, dune buggies and tractors. A vehicle which would otherwise be defined as a motor vehicle under this Section shall not be so defined while:
 - a. It is being operated solely for the purpose of construction or maintenance of an improvement to land or solely for access to construction or maintenance sites provided such operation is by persons having legitimate business on such lands or sites;
 - b. It is being operated by or at the direction of public employees or utility company employees as part of their employment duties.
 - c. It is being operated by the holder of an easement or right of access on or over the land on which operation is occurring or the holder's employees or agents.
- (c) **UNAUTHORIZED OFF-ROAD OPERATION PROHIBITED.**
- (1) The unauthorized off-road operation of a motor vehicle is prohibited.
 - (2) Except for authorized maintenance vehicles and snowmobiles operating in authorized areas pursuant to Title 10, Chapter 3, it shall be unlawful to operate any minibike, go-kart, all-terrain vehicle or any other motor-driven craft or vehicle principally manufactured for off-highway use on the City streets, alleys, parks, sidewalks, bikeways, parking lots or on any public lands or private lands or parking lots held open to the public. The operator shall at all times have the consent of the owner before operation of such craft or vehicle on private lands.
- (d) **PROHIBITED USE OF SNOWMOBILE TRAILS.** Except as provided in Subsection (b)(4) above, no person shall operate any motor vehicle other than a snowmobile on a snowmobile trail.

Cross Reference: Title 10, Chapter 3.

SEC. 10-1-55 SCHOOL CROSSING GUARDS.

Pursuant to Sec. 349.215, Wis. Stats., those adult persons hired by the Police Department to act as "School Crossing Guards" shall have the authority to stop vehicular traffic and to keep it stopped as long as necessary at their respective school crossings for the purpose of permitting school children to cross the street.

State Law Reference: Section 349.215, Wis. Stats.

SEC. 10-1-56 DRIVING OVER CURBING OR SAFETY ISLANDS PROHIBITED.

- (a) **DRIVING OVER CURBING PROHIBITED.** It shall be unlawful for any motor vehicle to be driven or backed over any curbing in the City of Menasha.
- (b) **DRIVING OVER SAFETY ZONES OR ISLANDS PROHIBITED.** Whenever safety zones or safety islands are marked in accordance with the Wisconsin Uniform Traffic Control Device manual, no operator of a vehicle shall at any time drive through or over a safety zone or safety island.

SEC. 10-1-57 MISCELLANEOUS LANE AND TURN CONTROLS.

The Director of Public Works, in cooperation with the Chief of Police, is authorized, when in his judgment the safety of the situation requires, to place Official Traffic Control Devices within or adjacent to intersections directing that a different course from that specified in Section 346.31, Wis. Stats., be traveled by vehicles turning at the intersection and to mark lanes for traffic designating separate lanes for slow moving traffic or for traffic moving in a particular direction.

SEC. 10-1-58 BUSINESS ROUTE CREATED

Main Street from Tayco Street to Racine Street as Business Route 114.

SEC. 10-1-59 RESERVED FOR FUTURE USE.