

2009-02

**Ordinance Regulating Parking on Town Roads**

The Town Board of the Town of Brothertown does ordain, as follows:

**Section 1. Authority.**

This Ordinance is enacted pursuant to the authority granted under Chapter 60 of the Wisconsin Statutes, together with the Town's Village powers and the Town's police powers.

**Section 2. Purpose.**

The purpose of this Ordinance is to regulate parking on Town roads in the Town of Brothertown, Calumet County, Wisconsin.

**Section 3. Parking Rules.**

3.01 General Prohibition. No person, except a physician or a veterinarian on an emergency call, shall park any vehicle on any Town highway for a period longer than sixty minutes whether day or night

3.02 Limited Winter Parking. It shall be unlawful for the owner or operator of any vehicle to park said vehicle on any Town highway between the 15<sup>th</sup> of November of each year and the 1<sup>st</sup> of April, of the following year, for a period of time longer than ten minutes for loading or unloading passengers and for a period of time longer than thirty minutes for loading, unloading or delivery of property.

3.03 Parking Motor Vehicles on Private Property. It shall be unlawful to park any motor vehicle on any private property without the consent of the owner of the property.

3.04 Creation and Marking of Tow-Away Zones. All Town roads shall be designated as tow-away zones. Signs shall be installed at appropriate places to inform the public of such designation.

**Section 4. Enforcement.**

4.01 Forfeiture. Any person, company, firm or corporation violating any provision of this Ordinance shall, upon conviction thereof, forfeit not less than \$100 nor more than \$500, together with the costs of prosecution, including reasonable attorneys' fees. Each day that a violation continues shall constitute a separate offense. Compliance with the provisions of this Ordinance may also be enforced by injunction.

4.02 Towing. Whenever the Town Road Supervisor or Town Chairperson finds a vehicle in a tow-away zone in violation of this Ordinance, he or she is authorized to remove the vehicle to either private or public parking or storage premises. The removal may be performed by or under the direction of an officer or towing contractor under contract with the Town. Any towing performed under this section shall be at the vehicle owner's expense

**Section 5. Legal Provisions.**

5.01 Severability. Should any section or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

5.02 Effective Date. This Ordinance shall be enforced from and after its passage, approval and publication according to law.

5.03 Definitions. References to "person" extend to natural persons, firms, corporations, partnerships, limited liability companies or other legal entities. References to "motor vehicle" shall include, without limitation, automobiles, trucks, tractors, trailers, ATV's (and other forms of off-road vehicles), motorcycles and agricultural equipment.

5.04 Compliance with State Statutes. Nothing in this Ordinance shall be construed or is intended to be contrary to, or inconsistent with Wisconsin State Statutes regulating the operation or parking of motor vehicles on public roads.

Adopted this 1<sup>st</sup> day or December, 2009.

TOWN OF BROTHERTOWN

By: Charles J. Schneider  
Charles Schneider, Chairman

Attest:

LeAnne Karls, Clerk  
LeAnne Karls, Clerk