

AGENDA
PUBLIC WORK'S COMMITTEE MEETING
Wednesday, June 14, 2017
5:30 P.M., Allouez Village Hall

NOTICE IS HEREBY GIVEN THAT ACTION BY THE COMMITTEE MAY BE TAKEN ON ANY OF THE ITEMS WHICH ARE DESCRIBED IN THIS AGENDA. ACTION TAKEN WOULD BE TO MAKE RECOMMENDATIONS TO VILLAGE BOARD FOR THEIR APPROVAL

1. MODIFY/ADOPT AGENDA
2. APPROVE MINUTES from the May 10, 2017 meeting.

OLD BUSINESS:

3. DISCUSSION/ACTION: SIDEWALK SNOWPLOWING POLICY (DPW Berndt).

NEW BUSINESS:

4. DISCUSSION/ACTION: LEAF COLLECTION STUDY PROPOSED BY LEAGUE OF MUNICIPALITIES TO ASSIST TMDL COMPLIANCE (DPW Berndt).
5. DISCUSSION/ACTION: SAFE PEDESTRIAN USE OF VILLAGE STREETS (Village President Rafter).
6. DISCUSSION/ACTION: RIVERSIDE DRIVE PEDESTRIAN CROSSINGS UPDATE (DPW Berndt).

DISCUSSION:

7. DISCUSSION: WEBSTER AVENUE COMMERCIAL DEVELOPMENT PLAN UPDATE (DPW Berndt).
8. DISCUSSION: PROPOSED WEBSTER AVENUE REPAIR FUNDING FROM BROWN COUNTY HIGHWAY DEPT (DPW Berndt).
9. DISCUSSION: BROWN COUNTY SOLID WASTE SURPLUS FUNDS USE (DPW Berndt).
10. ADJOURNMENT

NOTE: It is possible that members of and a possible quorum of members of other governmental bodies of the municipality may be in attendance at the above noticed meeting to gather information; no action will be taken by any governmental body at the

above noticed meeting other than the governmental body specifically referred to above in this notice.

MINUTES
PUBLIC WORK'S COMMITTEE MEETING
Wednesday, May 10, 2017
5:30 P.M., Allouez Village Hall

Present: Jim Rafter, Jim Genrich, Rick King, Ray Kopish, Curt Beyler, Craig Berndt and Brad Lange

Meeting was called to order by Craig Berndt in the absence of a chairperson.

1. **MODIFY/ADOPT AGENDA**
Motion by Genrich/King to adopt the agenda as presented. All ayes
2. **ELECTION OF COMMITTEE CHAIRPERSON (DPW Berndt).**
Nominations were taken for chairperson: King/Kopish nominated Genrich as chairperson. Kopish/King moved to close nominations and upon a vote, Genrich was appointed chairperson.
3. **APPROVE MINUTES from the April 12, 2017 meeting.**
Rafter/King moved to approve the April 12, 2017 minutes. All ayes

OLD BUSINESS:

4. **DISCUSSION/ACTION: SIDEWALK SNOWPLOWING POLICY (DPW Berndt).**
Berndt reviewed the proposed changes to the sidewalk snowplowing policy that was presented at the previous committee meeting. After much discussion it was the consensus of the committee that Berndt bring back to the June meeting a suggested change in the wording of the policy.

NEW BUSINESS:

5. **DISCUSSION/ACTION: 2016 COMPLIANCE MAINTENANCE ANNUAL REPORT (CMAR) (DPW Berndt).**
Berndt provided the completed 2016 CMAR report to the committee and discussed the financial performance of the sanitary utility. Income was small in 2016 but will increase by about \$225,000 in 2017 due to debt retirement. Also, the last couple years the WDNR commented on the need to increase the amount of tv work on the sewer system, but the village response has been that we are replacing significant sanitary sewers so televising more sewers is not good use of funds since we cannot replace all the sewers that quickly. Further discussion was about the lift station replacement fund and retaining this fund in a segregated account (which it is) for future repair or replacement of the pumping stations when needed.

Kopish/King moved to recommend to the Village Board approval of the 2016 CMAR report and resolution approving the report. All ayes

6. DISCUSSION/ACTION: SAFE PEDESTRIAN USE OF VILLAGE STREETS (Village President Rafter).

Rafter: this item was brought to the attention of the Village Board by Roger Retzlaff. A copy of Mr. Retzlaff's email was provided to the committee.

In the absence of Mr. Retzlaff discussion was limited.

Rafter/Beyler moved to table until June 14, 2017. All ayes

7. DISCUSSION/ACTION: TEMPORARY EASEMENT AT FIRE STATION FOR SRTS PROJECT (DPW Berndt).

During the SRTS fieldwork, it was noted that a temporary easement is necessary at 135 Dauphin Street, aka Fire Department, along the Woodrow Way side of the property where the sidewalk is proposed to be installed. The property is owned by the Village and we will need to issue ourselves a temporary easement.

Beyler/King moved to recommend to the Village Board that a temporary easement be granted. All ayes

DISCUSSION:

8. ADJOURNMENT

King/Kopish moved to adjourn at 5:58pm. All ayes

VILLAGE OF ALLOUEZ

Allouez Village Hall • 1900 Libal Street • Green Bay, Wisconsin 54301-2453
Phone No.: (920) 448-2800 • Fax No.: (920) 448-2850

Department of Public Works

SIDEWALK SNOWPLOWING UPDATE

The snowplowing concepts include: increasing the amount of sidewalks to be plowed by the village, simplifying the criteria to only 3" snowfalls for all sidewalks (same as for plowing streets), and plowing within 48 hours so that some weekend plowing would occur. These are more specifically described as follows.

- 1. Continue the 3-inch snowfall criteria for sidewalk plowing.**
Continue the natural 3-inch snowfall criteria on Webster and Allouez Avenues as reported by the weather stations because this is the criteria used for snowplowing of streets and residents are accustomed to this snowfall amount. The sidewalks usually receive less snow than the roadways.
- 2. Delete the 6-inch major storm criteria.**
To simplify the snowplowing process for residents and to increase sidewalk snowplowing to provide more services, delete the major storm criteria of a 6" snowfall.
- 3. Weekend Sidewalk Snowplowing Added.**
Snowplow sidewalks on a weekend (during daytime hours) to complete village sidewalk snowplowing within the same 48-hour period required of residents.
- 4. Add Libal Street and Hoffman Road to Sidewalk Snowplowing.**
Add Libal Street, Hoffman Road, and Riverside Drive to sidewalk snowplowing to the same 3" snowfall criteria as Webster Avenue and Allouez Avenue. This will increase sidewalk plowing frequency in the entire village.
- 5. Update Sidewalk Plowing Map.**
Update the sidewalk snowplowing map and post on the village website along with the policy.
- 6. Update Snowplowing Policy.**
Update the policy statement and post on the website, and update in All About Allouez.

The above changes (3" criteria change, weekend plowing) is likely to double the Public Works Department snow and ice budget for sidewalk snowplowing, but this may not result in the same amount of increase in the Public Works budget. This would have to be determined during the annual budget process.

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Department of Public Works

ALLOUEZ SIDEWALK SNOWPLOWING POLICY

June 1, 2017

1. *Allouez residents must shovel their sidewalk after snowstorms, and maintain their sidewalk clear of snow and ice—even if the sidewalk is first plowed by the Village. This includes Webster Avenue, Allouez Avenue, Libal Street, and Hoffman road. Residents have 48 hours after a snowstorm to complete sidewalk shoveling.*
2. After each snowfall the Village plows the roundabouts, village properties, and school sidewalk routes. Village sidewalk snowplowing will be completed within 48 hours of a snowfall including weekends. Refer to the Village sidewalk snowplowing map for further information.
3. *The Village will plow the main sidewalks including Webster Avenue, Allouez Avenue, Libal Street, Hoffman Road, and Riverside Drive after snowstorms of 3" snowfall or more. The Village plows its streets at a 3" snowfall as well. Property owners must shovel after Village sidewalk snowplowing to maintain their sidewalk clear.*
4. Because the Brown County Highway Department frequently plows large amounts of snow onto *Webster Avenue, Allouez Avenue and Riverside Drive sidewalks*, the *Village will provide additional snowplowing of these sidewalks when the weather and snow conditions dictate more frequent snowplowing.*

Sidewalk Clearing Notice to Property Owners

Property owners will be notified via a letter placed in the rear door of a household if snow shoveling or ice removal does not comply with Village policy. This will be at 48 hours after a storm event, with 48 hours allowed for compliance.

Non-Compliance Penalty

The Village of Allouez Policy for Sidewalk Clearing Charge for Non-Compliance is as follows:

1 st Notice	\$50 per lot (up to 100 ft) plus \$10 per each 100 ft
2 nd Notice	Two times the 1 st Non-Compliance Charge
3 rd Notice	Three times the 1 st Non-Compliance Charge plus Citation for Violation of Sidewalk Clearing Ordinance 3.21

Old Policy

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Department of Public Works

ALLOUEZ SIDEWALK SNOWPLOWING POLICY

April 1, 2017

1. *Allouez residents must shovel their sidewalk after snowstorms, and maintain their sidewalk clear of snow and ice—even if the sidewalk is first plowed by the Village. This includes Webster Avenue, Allouez Avenue, Libal Street, and Hoffman road. Residents have 48 hours after a snowstorm to complete sidewalk shoveling.*
2. After each snowfall the Village plows roundabouts, village properties, and school routes. Village sidewalk snowplowing will be completed within 48 hours of snowfall including weekends. Schools plow sidewalks adjacent to their facilities.
3. Because the Brown County Highway Department frequently plows large amounts of snow onto *Webster and Allouez Avenue sidewalks*, the *Village will plow these sidewalks when the weather bureau reports a snowfall of 3-inches or more; or when weather and snow conditions dictate more frequent snowplowing.* Sidewalk plowing on Webster and Allouez Avenue may be done after Brown County finishes street plowing—to minimize the need for repeated shoveling by the village and residents. Residents are to finish the sidewalk shoveling after village snowplowing, and maintain the sidewalk clear of snow and ice.
4. The *Village will plow the main sidewalks* including Libal Street, Webster Avenue, Allouez Avenue, Hoffman Road, and Riverside Drive *after snowstorms of 3" snowfall or more. The Village plows its streets at 3" snowfalls as well. Property owners must shovel after Village sidewalk snowplowing to maintain their sidewalk clear.*

Sidewalk Clearing Notice to Property Owners

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Department of Public Works

PROPOSED FALL LEAF COLLECTION AND MANAGEMENT STUDY League of Municipalities

Attached is a letter from the League of Wisconsin Municipalities regarding a proposed joint effort with the Wisconsin Department of Natural Resources to evaluate the positive impact of a comprehensive fall leaf collection program on reducing total phosphorus discharges.

This is a topic that the village of Allouez has questioned with regard to modeling the village stormwater management program. We have requested our consultant, in the past, to encourage the WDNR to consider this type of credit due to the extensive Allouez fall leaf collection program including high efficiency street sweeping. The WDNR did have a staff engineer that was also evaluating leaf collection impacts on phosphorus. This proposed study is probably an outcome of the WDNR study.

This proposed study program is “likely” to provide an increased total phosphorus removal credit which will be important to Allouez complying with the long range TMDL requirements. Phosphorus removal is the critical parameter that the village must meet in the future.

The cost to Allouez is estimated at \$2,000 per year for 3 years, beginning in 2018. The League is asking for a commitment so they can begin moving this project forward. It is recommended that Allouez support this program, and utilize the engineering budget in the stormwater utility to fund this contribution.

The outcome may be a revision to the stormwater modeling program to increase the credit due to an extensive fall leaf collection program such as Allouez has.

C. Berndt
Stormwater Leaf Collection Study Memo June 2017
June 5, 2017



131 W. Wilson St., Suite 505
Madison, Wisconsin 53703
phone (608) 267-2380; (800) 991-5502
fax: (608) 267-0645
league@lwm-info.org; www.lwm-info.org

May 31, 2017

Director of Public Works Craig Berndt
Village of Allouez
1900 Libal Street
Green Bay, WI 54301

Dear Craig:

The WDNR has approached the League with a research request that could help reduce your stormwater management costs and other costs related to phosphorous reduction. I hope you will consider helping us to fund this request.

The DNR is exploring an approach to quantify and provide numeric phosphorus reduction (stormwater) "credit" to MS4s for improved fall leaf management programs. This will help MS4s meet TMDL phosphorus reduction requirements. Three years of DNR / USGS monitoring and research in the City of Madison has shown significant reductions in fall stormwater phosphorus loadings, if leaves are regularly removed from city streets with medium to heavy tree canopy. The DNR is now looking for feedback from MS4s on what types of municipal programs could be implemented to reach this goal. In order to provide specific credit, however, the WDNR needs data from more locations and is seeking funding to conduct additional stormwater monitoring similar to the Madison work. Additional monitoring is needed to understand and identify variables that may occur in other locations, and to build those variables into a Leaf Management Program usable by all Wisconsin MS4 communities.

This approach could prove to be a very cost-effective way to meet TMDL/Phosphorus reduction requirements, compared to traditional stormwater management measures.

The League's role in this endeavor is three-fold:

1. Represent the interests of the MS4 municipalities statewide – especially as related to stormwater programs and compliance with regulations.
2. Organize a subcommittee of municipal experts to advise the DNR in this research and the development of a Leaf Management Program.
3. Organize the funding effort for this research.

The proposed research parameters would be as follows:

- Create a three-year water quality monitoring process, beginning in the fall of 2018.
- Field monitoring will be done by the United States Geological Survey (USGS); their expertise has clout with policymakers.
- A total of four sites in two different cities will be identified with varying geography, tree canopy and other characteristics.
- The cost of purchasing/installing equipment, sampling, data analysis and reporting is \$425,000 over three years.
- If a majority of MS4 communities commit to \$2,000 per year for the three-year study, we can move ahead with this important work. If the research is successful, your community's return on investment, will far exceed this upfront cost.

The League will identify grant resources in hopes of reducing the actual cost to your community. However, the timing of all of these "moving parts" is such that we need to start with you and work on other resources once we have determined the level of interest.

If you are able to budget \$2,000/year, for three years beginning in 2018, please email me (jdeschane@lwm-info.org) by **June 16**. Time is critical.

Thank you for considering this request. Please call me or Curt Witynski with questions (608-267-2380).

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Deschane".

Jerry Deschane
Executive Director

YOUR VOICE. YOUR WISCONSIN.

VILLAGE OF ALLOUEZ

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Department of Public Works

PEDESTRIAN USE OF PUBLIC STREETS

The objective is to evaluate the “Use of streets by pedestrians . . . to find a way to protect pedestrians by providing for what is permitted for them to do in the street,” as referred to the PWC by the village board.

Several comments are as follows:

1. Wisconsin statute 340 (attached) addresses pedestrian rights in a public street and is the governing law. A condensed summary is as follows:
 - a. Pedestrians should use identified crosswalks, and intersections where crosswalks would normally be located; and vehicles must stop when pedestrians are present in the crosswalk. The pedestrian has the right of way when in a crosswalk or crosswalk location.
 - b. If a pedestrian crosses a street at any other location (not a crosswalk), vehicle's have the right of way and the pedestrian must avoid conflict with a vehicle.
 - c. If no sidewalk is present pedestrians must walk on the left side of the street and stay as close to the edge of street as possible when vehicles are present.
 - d. Blind persons with a white or white/red cane has special protection from vehicles.
 - e. Vehicles must limit speed to 15 mph when children are present at a school crossing or when adjacent to a playground or a park.
2. As a general guide regarding pedestrians—they should not be in a street except at crosswalks, or bicycling. The village should not encourage other pedestrian use of streets.
3. The legal aspects of pedestrian use of streets should be reviewed by legal counsel.
4. The current village ordinance 330-14 is a comprehensive ordinance compared to other municipalities. This ordinance is very detailed and thorough. A reference to the pedestrian state law could be added.
5. A further clarification of ordinance 330-14 might be considered. It may be as the following draft:

“Pedestrians must use crosswalks, controlled intersections, or intersections where crosswalks would normally be located for crossing streets. Vehicles must yield to pedestrians when in a crosswalk. Pedestrians must use the left-hand side of a street when no sidewalk is present, and move as close to the edge of the street when vehicles are present. This shall also include in-lines skates and other such methods of travel including joggers. At all other locations along a street, the pedestrian must yield the right of way to vehicles. Bicycles shall use the outside bicycle lanes if present or if not operate as far as possible to the edge of the street.”

This ordinance and information should be reviewed by the village attorney before further consideration of this possible ordinance revision.

February 7, 2017 (Village Board Meeting)

PUBLIC APPEARANCES

Tom Lawton (1262 S Quincy St) and Jeanene Kruszynski (1238 S Quincy St)

- Concerned with a recent and frequent noticeable (tar or petroleum) odor in the air in their neighborhood that seems to be coming from across the river. They have contacted Brown County and are now keeping a log of when they notice the odor, but ask for help from the Village as well in determining where the odor is coming from.

Jim O'Rourke, 2339 Oakwood Avenue

- Minutes from Board meetings should be approved at the next meeting
- Asked Village Board members to contact the Wisconsin Attorney General with regards to negligence and misconduct on the part of the State Historic Preservation Office and the Department of Transportation with their designation of Sunset Park as a Historic District.

(Atwood arrived at 7:10 pm)

PUBLIC HEARING TO CONSIDER ADOPTION OF CHAPTER 475, ZONING, CHAPTER 468 SHORELAND-WETLAND ZONING AND CHAPTER 460, LAND DIVISION OF THE MUNICIPAL CODE BY ADOPTION OF A NEW CODE OF ORDINANCES TITLED "CODE OF THE VILLAGE OF ALLOUEZ"

A public hearing was held to consider adoption of Chapter 475, Zoning, Chapter 468 Shoreland-Wetland Zoning and Chapter 460, Land Division of the municipal code by adoption of a new code of ordinances titled "Code of the Village of Allouez".

- No public comment

Hearing closed at 7:15 pm.

ADOPTION OF ORDINANCE 2017-02, REVISING AND CONSOLIDATING, AMENDING, SUPPLEMENTING AND CODIFYING THE GENERAL ORDINANCES OF THE VILLAGE OF ALLOUEZ

Harris suggested removing the word "plastic" from Section 432-4B(1) which states: Residential garbage must be placed in cart. Before placing any garbage in the cart for collection, each patron shall place it in a plastic garbage bag. It shall be the responsibility of each patron to keep the garbage relatively free from rainwater and snow until collection.

Dart / Green moved to adopt Ordinance 2017-02 with removal of the word "plastic" from Section 432-4B(1).

Harris / Dart moved to suspend the rules for public comment. Motion carried.

Roger Retzlaff

- Suggested Section 330.14D, use of streets by pedestrians, be looked at in the future to find a way to protect pedestrians by providing for what is permitted for them to do in the street

31-20

Village of Allouez, WI
Thursday, March 2, 2017

Chapter 330. Peace and Good Order

§ 330-14. Dangerous or negligent use of public streets.

- A. Purpose. It is hereby declared to be the policy of the Village of Allouez to regulate and provide for the safe use of public streets; to prohibit the dangerous and/or negligent use of public streets by pedestrians; and to prohibit the dangerous and/or negligent use of public streets by persons riding in or upon any form of conveyance, whether such a conveyance is motorized or nonmotorized and regardless of the means used to propel such a conveyance.
- B. Motor vehicles. No person shall operate a motor vehicle of any type upon the public streets within the Village of Allouez in a dangerous or negligent manner, or in a manner contrary to any law of the State of Wisconsin, the County of Brown, or the Village of Allouez, which law is intended to regulate the operation of motor vehicles upon public streets and highways.
- C. Nonmotorized vehicles or conveyances. No person shall operate or ride in or upon any form of conveyance on any public street, public walkway, or public highway in a manner which is dangerous, negligent, or in any way contrary to the safety of himself, herself or any other person using such public street, walkway, or highway, whether as a pedestrian or vehicular traffic.
- D. Use of streets by pedestrians. No person shall, while using the public street as a pedestrian, use such a street, public walkway, or highway in a dangerous or negligent manner or in a manner which creates an unnecessary obstruction to vehicular traffic upon a street or highway or which in any way endangers the safety of other persons using that public street, walkway, or highway.
- E. Parental responsibility. A parent, guardian, or adult person having actual care and custody of a child under the age of 18 years shall not knowingly permit that child to violate any provision of this section and shall be deemed jointly liable and responsible for any action of such child which is found to be in violation of this section. For the purpose of this section, the words "child," "parent," and "guardian" shall have the meanings as described in Chapter 48 of the Wisconsin Statutes.
- F. Penalty. Any person violating the provisions of this section shall, upon conviction thereof, be subject to the penalty provided by § 1-3 of this Code. A separate offense shall be deemed committed on each day on which a violation of this section occurs or continues.

Craig Berndt

From: Brad Lange
Sent: Wednesday, May 10, 2017 2:23 PM
To: Craig Berndt
Subject: FW: Public Works Committee Meeting Today
Attachments: use of streets.doc; ATT00001.htm

From: Lynn Green
Sent: Wednesday, May 10, 2017 10:21 AM
To: Jim Rafter <jrafter@villageofallouez.com>; Brad Lange <brad@villageofallouez.com>
Subject: Fwd: Public Works Committee Meeting Today

FYI for tonight!!

Begin forwarded message:

From: Roger Retzlaff <roger.retzlaff@gmail.com>
Date: May 10, 2017 at 9:57:29 AM CDT
To: Jim Rafter <jrafter@villageofallouez.com>
Cc: <lynntrustee@villageofallouez.com>, <jimgtrustee@villageofallouez.com>
Subject: Public Works Committee Meeting Today

I am going to be out of town today and won't be at the meeting this afternoon. If you don't have the information I prepared for item 6 on the agenda, it is attached below. To reiterate my concerns, the ordinance makes all of our residents using neighborhood streets traffic violators because they use them recreationally. Pedestrians in Allouez are not using the streets for transportation. They are using them to walk, run and skate for exercise and enjoyment. Kids coast down the hills on their scooters and skateboards. They walk their dogs in the streets. They often are in family groups two and three abreast and meet others on their walks, standing and talking for periods of time. Not having sidewalks on almost all neighborhood streets forces residents into the roadway for normal walking recreation. The street curbs, topography and landscaping of yards in the village provide no shoulder to walk on. The ordinance makes all persons in the street using a street for recreation targets of fault in any civil proceeding, making them obstructions to vehicular traffic.

I believe the ordinance is an excessive extrapolation of state law which is already more than adequate. I'm not sure there is a mechanism of enforcement for our policing force. Do we want to strictly enforce the ordinance? It seems we should eliminate this provision and instead allow in the ordinances, persons may use neighborhood streets for recreational purposes. Because many of our streets are rather narrow, we should allow that persons on foot in the roadways need only allow for one lane of vehicle travel. Allouez was not platted as a walking friendly community. I think we should look for a way to classify neighborhood streets as "shared use streets" and define ranges of permitted uses beyond transportation. It's a way Allouez could be progressive without abandoning its character. We have to be careful with our laws so we do not force residents into positions of potential harm by doing what we actually want them to do - be a friendly, active community.

Use of Streets

§ 330-14 Dangerous or negligent use of public streets.

A.

Purpose. It is hereby declared to be the policy of the Village of Allouez to regulate and provide for the safe use of public streets; to prohibit the dangerous and/or negligent use of public streets by pedestrians; and to prohibit the dangerous and/or negligent use of public streets by persons riding in or upon any form of conveyance, whether such a conveyance is motorized or nonmotorized and regardless of the means used to propel such a conveyance.

B.

Motor vehicles. No person shall operate a motor vehicle of any type upon the public streets within the Village of Allouez in a dangerous or negligent manner, or in a manner contrary to any law of the State of Wisconsin, the County of Brown, or the Village of Allouez, which law is intended to regulate the operation of motor vehicles upon public streets and highways.

C.

Nonmotorized vehicles or conveyances. No person shall operate or ride in or upon any form of conveyance on any public street, public walkway, or public highway in a manner which is dangerous, negligent, or in any way contrary to the safety of himself, herself or any other person using such public street, walkway, or highway, whether as a pedestrian or vehicular traffic.

D.

Use of streets by pedestrians. No person shall, while using the public street as a pedestrian, use such a street, public walkway, or highway in a dangerous or negligent manner or in a manner which creates an unnecessary obstruction to vehicular traffic upon a street or highway or which in any way endangers the safety of other persons using that public street, walkway, or highway.

E.

Parental responsibility. A parent, guardian, or adult person having actual care and custody of a child under the age of 18 years shall not knowingly permit that child to violate any provision of this section and shall be deemed jointly liable and responsible for any action of such child which is found to be in violation of this section. For the purpose of this section, the words "child," "parent," and "guardian" shall have the meanings as described in Chapter 48 of the Wisconsin Statutes.

F.

Penalty. Any person violating the provisions of this section shall, upon conviction thereof, be subject to the penalty provided by § 1-3 of this Code. A separate offense shall be deemed committed on each day on which a violation of this section occurs or continues.

Issues:

1. Lack of sidewalks on residential streets force residents to walk, run or otherwise be in the street when traveling and recreating on foot.
2. Few residents walk in the streets for transportation (walking to school, public transit, work, shopping, parks, trails, visit neighbors). Most residents walk, run, skate, for recreation and as a socializing activity. Children can often be found playing on neighborhood streets. Families and friends commonly walk in streets two and three abreast, and often with a dog. Walking a dog is not transportation, but recreation. Neighbors meet one another in the street to engage in conversation.
3. All of these more common, recreational and social, activities are in violation of the statute because pedestrians as considered in state law are only persons in the roadway for transportation.

Residents recreating and socializing in the street become obstructive to vehicles on the street and endanger themselves and others.

4. According to Wisconsin DOT standards, none of the neighborhood streets are compliant with state requirements and all of the streets and roads in the village are substandard, including those that have been newly reconstructed. With respect to accessibility standards, a few new installations are only minimally compliant. It appears they were designed to just barely meet the requirement rather than to actually provide for safe access by the disabled.
5. Pedestrian is a class of person uniquely identified in the ordinance.
6. In the event of a crash between pedestrian and vehicle, the vehicle operator may have a claim of fault against the person(s) walking or standing in the street if not for a purely transportation focused purpose.



(/)

Madison

5976B Executive Drive

Fitchburg, WI 53719

(<https://www.google.com/maps/place/5976+Executive+Dr/@43.0109903,-89.4600177,17z/data=!3m1!4m2!3m1!1s0x8807b20c6c25d705:0x202978e3423d8bdd>)

Tel - 608.320.6710

Menu

Wisconsin Pedestrian Laws



Wisconsin Pedestrian Laws

Wisconsin law provides great protection to pedestrians in marked crosswalks and crossing with signals. If a driver hits a pedestrian in a marked crosswalk liability should be clear-however, keep in mind that even when drivers get cited by the police the driver's insurance company still will often claim the driver was not at fault and blame the injured person instead of trying to avoid having to pay medical bills etc. If a pedestrian in Wisconsin is crossing at an unmarked crosswalk, drivers must yield the right of way. There is an exception for people who dart out in front of cars. While this was likely intended to apply to children sprinting out into the road etc. it has become an excuse for insurance companies to use to blame pedestrians anytime there is a motor vehicle vs. pedestrian collision. The insurance company can blame the pedestrian and say the pedestrian darted out. If untrue, the blame only works to a certain point-jury trial where the truth will come out. If crossing at a point other than a marked or unmarked crosswalk, pedestrians must yield to motor vehicles.

"Crosswalk" means either of the following, except where signs have been erected by local authorities indicating no crossing:

- (a) Marked crosswalk. Any portion of a highway clearly indicated for pedestrian crossing by signs, lines or other markings on the surface; or
- (b) Unmarked crosswalk. In the absence of signs, lines or markings, that part of a roadway, at an intersection, which is included within the transverse lines which would be formed on such roadway by connecting the corresponding lateral lines of the sidewalks on opposite sides of such roadway or, in the absence of a corresponding sidewalk on one side of the roadway, that part of such roadway which is included within the extension of the lateral lines of the existing sidewalk across such roadway at right angles to the center line thereof, except in no case does an unmarked crosswalk include any part of the intersection and in no case is there an unmarked crosswalk across a street at an intersection of such street with an alley

346.23: Crossing controlled intersection or crosswalk.

(1) At an intersection or crosswalk where traffic is controlled by traffic control signals or by a traffic officer, the operator of a vehicle shall yield the right-of-way to a pedestrian, or to a person who is riding a bicycle or electric personal assistive mobility device in a manner which is consistent with the safe use of the crosswalk by

mobility devices shall yield the right-of-way to vehicles lawfully proceeding directly ahead on a green signal. No operator of a vehicle proceeding ahead on a green signal may begin a turn at a controlled intersection or crosswalk when a pedestrian, bicyclist, or rider of an electric personal assistive mobility device crossing in the crosswalk on a green or "Walk" signal would be endangered or interfered with in any way. The rules stated in this subsection are modified at intersections or crosswalks on divided highways or highways provided with safety zones in the manner and to the extent stated in sub (2).

(2) At intersections or crosswalks on divided highways or highways provided with safety zones where traffic is controlled by traffic control signals or by a traffic officer, the operator of a vehicle shall yield the right-of-way to a pedestrian, bicyclist, or rider of an electric personal assistive mobility device who has started to cross the roadway either from the near curb or shoulder or from the center dividing strip or a safety zone with the green or "Walk" signal in the favor of the pedestrian, bicyclist, or rider of an electric personal assistive mobility device.

Crossing at uncontrolled intersection or crosswalk.

(1) At an intersection or crosswalk where traffic is not controlled by traffic control signals or by a traffic officer, the operator of a vehicle shall yield the right-of-way to a pedestrian, or to a person riding a bicycle or electric personal assistive mobility device in a manner which is consistent with the safe use of the crosswalk by pedestrians, who is crossing the highway within a marked or unmarked crosswalk.

(2) No pedestrian, bicyclist, or rider of an electric personal assistive mobility device shall suddenly leave a curb or other place of safety and walk, run, or ride into the path of a vehicle which is so close that it is difficult for the operator of the vehicle to yield.

(3) Whenever any vehicle is stopped at an intersection or crosswalk to permit a pedestrian, bicyclist, or rider of an electric personal assistive mobility device to cross the roadway, the operator of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

346.25: Crossing at place other than crosswalk

Every pedestrian, bicyclist, or rider of an electric personal assistive mobility device crossing a roadway at any point other than within a marked or unmarked crosswalk shall yield the right-of-way to all vehicles upon the roadway

346.28: Pedestrians to walk on left side of highway; pedestrians, bicyclists, and riders of electric personal assistive mobility devices on sidewalks.

(1) Any pedestrian traveling along and upon a highway other than upon a sidewalk shall travel on and along the left side of the highway and upon meeting a vehicle shall, if practicable, move to the extreme outer limit of the traveled portion of the highway.

(2) Operators of vehicles shall yield the right-of-way to pedestrians, bicyclists, and riders of electric personal assistive mobility devices on sidewalks as required by s. 346.47.



Additional Info

- [Do I Need a Person Injury Lawyer? \(/do-i-need-person-injury-lawyer\)](#)
- [Do I have a Case if I was Injured but the Police Said I was at Fault? \(/do-i-have-case-if-i-was-injured-police-said-i-was-fault\)](#)
- [How Much is My Personal Injury Case Worth? \(/how-much-my-personal-injury-case-worth\)](#)
- [Madison and Milwaukee Pedestrian Accident Lawyer \(/madison-and-milwaukee-pedestrian-accident-lawyer\)](#)
- [Personal Injury Lawyer Reviews and Ratings \(/personal-injury-lawyer-reviews-and-ratings\)](#)
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- [Wage Loss After Car Accident \(/wage-loss-after-car-accident\)](#)
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- [Who Pays for Medical Bills When There is a Car Accident? \(/who-pays-medical-bills-when-there-car-accident\)](#)
- [Wisconsin Pedestrian Laws \(/Legal-Articles/Wisconsin%2520Pedestrian%2520Laws.htm\)](#)

- (1)
- (a) Except as provided in par. (b), (c), (d), or (e), any person violating s. 346.18, 346.20 (1), or 346.215 (2) (b) or (3) may be required to forfeit not less than \$20 nor more than \$50 for the first offense and not less than \$50 nor more than \$100 for the 2nd or subsequent conviction within a year.
 - (b) If an operator of a vehicle violates s. 346.18 (6) where persons engaged in work in a highway maintenance or construction area or in a utility work area are at risk from traffic, any applicable minimum and maximum forfeiture specified in par. (a), (c), (d), or (e) for the violation shall be doubled.
 - (c) If a person violates s. 346.18 and the violation results in bodily harm, as defined in s. 939.22 (4), to another, the person shall forfeit \$200.
 - (d) If a person violates s. 346.18 and the violation results in great bodily harm, as defined in s. 939.22 (14), to another, the person shall forfeit \$500.
 - (e) If a person violates s. 346.18 and the violation results in death to another, the person shall forfeit \$1,000.
- (2) Any person violating s. 346.19 or 346.20 (4) (a) may be required to forfeit not less than \$30 nor more \$300.
- (3) Any person violating s. 346.20 (2), (3) or (4) (b) or (c) or 346.21 may be required to forfeit not less than \$10 nor more than \$20 for the first offense and not less than \$25 nor more than \$50 for the 2nd or subsequent conviction within a year.
- (3m) A vehicle owner or other person found liable under s. 346.195 may be required to forfeit not less than \$30 nor more than \$300. Imposition of liability under s. 346.195 shall not result in suspension or revocation of a person's operating license under s. 343.30, and shall not result in demerit points being recorded on a person's driving record under s. 343.32 (2) (a).
- (4) A vehicle owner or other person found liable under s. 346.205 may be required to forfeit not less than \$20 nor more than \$50 for the first offense and not less than \$50 nor more than \$100 for the 2nd or subsequent conviction within a year. Imposition of liability under s. 346.205 shall not result in suspension or revocation of a person's operating license under s. 343.30, nor shall it result in demerit points being recorded on a person's driving record under s. 343.32 (2) (a).
- History: 1971 c. 278; 1983 a. 27; 1991 a. 73; 1993 a. 198; 1995 a. 121; 1997 a. 277; 2005 a. 466; 2009 a. 46; 2011 a. 173.

SUBCHAPTER IV

RESPECTIVE RIGHTS AND DUTIES OF DRIVERS, PEDESTRIANS, BICYCLISTS, AND RIDERS OF ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES

346.23 Crossing controlled intersection or crosswalk.

- (1) At an intersection or crosswalk where traffic is controlled by traffic control signals or by a traffic officer, the operator of a vehicle shall yield the right-of-way to a pedestrian, or to a person who is riding a bicycle or electric personal assistive mobility device in a manner which is consistent with the safe use of the crosswalk by pedestrians, who has started to cross the highway on a green signal or a pedestrian signal authorizing crossing and in all other cases pedestrians, bicyclists, and riders of electric personal assistive mobility devices shall yield the right-of-way to vehicles lawfully proceeding directly ahead on a green signal. No operator of a vehicle proceeding ahead on a green signal may begin a turn at a controlled intersection or crosswalk when a pedestrian, bicyclist, or rider of an electric personal assistive mobility device crossing in the crosswalk on a green signal or a pedestrian signal authorizing crossing would be endangered or interfered with in any way. The rules stated in this subsection are modified at intersections or crosswalks on divided highways or highways provided with safety zones in the manner and to the extent stated in sub. (2).
- (2) At intersections or crosswalks on divided highways or highways provided with safety zones where traffic is controlled by traffic control signals or by a traffic officer, the operator of a vehicle shall yield the right-of-way to a pedestrian, bicyclist, or rider of an electric personal assistive mobility device who has started to cross the roadway either from the near curb or shoulder or from the center dividing strip or a safety zone with the green signal or a pedestrian signal authorizing crossing in the favor of the pedestrian, bicyclist, or rider of an electric personal assistive mobility device.

History: 1979 c. 36; 1985 a. 69; 2001 a. 90; 2015 a. 104.

The rules for pedestrian right-of-way are different in this section and s. 346.24. In order for the motorist to have a duty to yield under s. 346.24, the pedestrian must be crossing within the crosswalk and not have entered in such a manner as to make it difficult for the motorist to yield. The requirements under this section, however, are that the pedestrian be crossing or have started to cross on a "Walk" light. The burden on the motorist is more absolute under this section than under s. 346.24. *Schoenauer v. Wendinger*, 49 Wis. 2d 415, 182 N.W.2d 441 (1971).

Pedestrians have the right-of-way on a green light only where there are no pedestrian control signals. *City of Hartford v. Godfrey*, 92 Wis. 2d 815, 286 N.W.2d 10 (Ct. App. 1979).

346.24 Crossing at uncontrolled intersection or crosswalk.

- (1) At an intersection or crosswalk where traffic is not controlled by traffic control signals or by a traffic officer, the operator of a vehicle shall yield the right-of-way to a pedestrian, or to a person riding a bicycle or electric personal assistive mobility device in a manner which is consistent with the safe use of the crosswalk by pedestrians, who is crossing the highway within a marked or unmarked crosswalk.
- (2) No pedestrian, bicyclist, or rider of an electric personal assistive mobility device shall suddenly leave a curb or other place of safety and walk, run, or ride into the path of a vehicle which is so close that it is difficult for the operator of the vehicle to yield.
- (3) Whenever any vehicle is stopped at an intersection or crosswalk to permit a pedestrian, bicyclist, or rider of an electric personal assistive mobility device to cross the roadway, the operator of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

History: 1985 a. 69; 2001 a. 90.

The rules for pedestrian right-of-way are different in this section and s. 346.23. In order for the motorist to have a duty to yield under s. 346.23, the pedestrian must be crossing within the crosswalk and not have entered in such a manner as to make it difficult for the motorist to yield. The requirements under this section, however, are that the pedestrian be crossing or have started to cross on a "Walk" light. The burden on the motorist is more absolute under this section than under s. 346.23. *Schoenauer v. Wendinger*, 49 Wis. 2d 415, 182 N.W.2d 441 (1971).

346.25 Crossing at place other than crosswalk. Every pedestrian, bicyclist, or rider of an electric personal assistive mobility device crossing a roadway at any point other than within a marked or unmarked crosswalk shall yield the right-of-way to all vehicles upon the roadway.

History: 1985 a. 69; 2001 a. 90.

Section 891.44 provides an exception to this section and the standard instruction is not to be given when the pedestrian is a child under 7. *Thoreson v. Milwaukee & Suburban Transport Corp.* 56 Wis. 2d 231, 201 N.W.2d 745 (1972).

This section does not apply to bicyclists operating on the roadway and only applies to bicyclists acting as pedestrians by operating on sidewalks and within crosswalks. *Chernetski v. American Family Mutual Insurance Co.* 183 Wis. 2d 68, 515 N.W.2d 283 (Ct. App. 1994)

346.26 Blind pedestrian on highway.

- (1) An operator of a vehicle shall stop the vehicle before approaching closer than 10 feet to a pedestrian who is carrying a cane or walking stick which is white in color or white trimmed with red and which is held in an extended or raised position or who is using a service animal, as defined in s. 106.52 (1) (fm), and shall take such precautions as may be necessary to avoid accident or injury to the pedestrian. The fact that the pedestrian may be violating any of the laws applicable to pedestrians does not relieve the operator of a vehicle from the duties imposed by this subsection.
- (2) Nothing in this section shall be construed to deprive any totally or partially blind person not carrying the white or the red and white cane or walking stick or not using a service animal, as defined in s. 106.52 (1) (fm), of the rights of other pedestrians crossing highways, nor shall the failure of such totally or partially blind pedestrian to carry such cane or walking stick or to use a service animal be evidence of any negligence.
- (3) No person who is not totally or partially blind shall carry or use on any street, highway or other public place any cane or walking stick which is white in color, or white trimmed with red.

History: 1977 c. 302; 2005 a. 354.

Wisconsin Pedestrian Laws

The statutes in this material have been generated from the 2001-2002 Wisconsin Statutes, but may not be an exact duplication. Please refer to the Wisconsin Statutes for the official text.

Legal definitions:

340.01(10)

(10) "Crosswalk" means either of the following, except where signs have been erected by local authorities indicating no crossing:

- (a) *Marked crosswalk*. Any portion of a highway clearly indicated for pedestrian crossing by signs, lines or other markings on the surface; or
- (b) *Unmarked crosswalk*. In the absence of signs, lines or markings, that part of a roadway, at an intersection, which is included within the transverse lines which would be formed on such roadway by connecting the corresponding lateral lines of the sidewalks on opposite sides of such roadway or, in the absence of a corresponding sidewalk on one side of the roadway, that part of such roadway which is included within the extension of the lateral lines of the existing sidewalk across such roadway at right angles to the center line thereof, except in no case does an unmarked crosswalk include any part of the intersection and in no case is there an unmarked crosswalk across a street at an intersection of such street with an alley.

340.01(43)

(43) "Pedestrian" means any person afoot or any person in a wheelchair, either manually or mechanically propelled, or other low-powered, mechanically propelled vehicle designed specifically for use by a physically disabled person, but does not include any person using an electric personal assistive mobility device.

340.01(43g)

(43g) "Person with a disability that limits or impairs the ability to walk" means any person with a disability as defined by the federal Americans with disabilities act of 1990, 42 USC 12101 et seq., so far as applicable, or any person who meets any of the following conditions:

- (a) Cannot walk 200 feet or more without stopping to rest.
- (b) Cannot walk without the use of, or assistance from, another person or a brace, cane, crutch, prosthetic device, wheelchair or other assistive device.
- (c) Is restricted by lung disease to the extent that forced expiratory volume for one second when measured by spirometry is less than one liter or the arterial oxygen tension is less than 60 millimeters of mercury on room air at rest.
- (d) Uses portable oxygen.
- (e) Has a cardiac condition to the extent that functional limitations are classified in severity as class III or IV, according to standards accepted by the American Heart Association on May 3, 1988.
- (f) Is severely limited in the ability to walk due to an arthritic, neurological or orthopedic condition.
- (g) Has a degree of disability equal to that specified in pars. (a) to (f).

340.01(43m)

(43m) "Play vehicle":

- (a) Means a coaster, skate board, roller skates, sled, toboggan, unicycle or toy vehicle upon which a person may ride.
- (b) Does not include in-line skates.

340.01(55)

(55) "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians, including those about to board or alighting from public conveyances, and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

340.01(58)

(58) "Sidewalk" means that portion of a highway between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, constructed for use of pedestrians.

340.01(68)

(68) "Traffic" means pedestrians, ridden or herded or driven animals, vehicles and other conveyances, either singly or together, while using any highway for the purpose of travel.

340.01(75)

(75) "Yield the right-of-way to a pedestrian" means the operator of a vehicle is required to reduce speed, or stop if necessary, to avoid endangering, colliding with or interfering in any way with pedestrian travel.

Applicable sections from Wisconsin statutes:

346.02(8): Applicability to pedestrian ways.

(a) All of the applicable provisions of this chapter pertaining to highways, streets, alleys, roadways and sidewalks also apply to pedestrian ways. A pedestrian way means a walk designated for the use of pedestrian travel.

(b) Public utilities may be installed either above or below a pedestrian way, and assessments may be made therefore as if such pedestrian way were a highway, street, alley, roadway or sidewalk.

346.12: Driving through safety zones prohibited.

The operator of a vehicle shall not at any time drive through or over a safety zone when such safety zone is clearly indicated.

346.16(2)(a): Use of controlled-access highways, expressways and freeways.

(a) Except as provided in par. (b), no pedestrian or person riding a bicycle or other nonmotorized vehicle and no person operating a moped or motor bicycle may go upon any expressway or freeway when official signs have been erected prohibiting such person from using the expressway or freeway.

(am) Except as provided in par. (b), no person riding an electric personal assistive mobility device may go upon any expressway or freeway when official signs have been erected prohibiting persons specified in par. (a) from using the expressway or freeway.

(b) A pedestrian or other person under par. (a) or (am) may go upon a portion of a hiking trail, cross-country ski trail, bridle trail or bicycle trail incorporated into the highway right-of-way and crossing the highway if the portion of the trail is constructed under s. 84.06 (11).

346.17: Penalty for violating sections 346.04 to 346.16.

(1) Except as provided in sub. (5), any person violating s. 346.04 (1) or (2), 346.06, 346.12 or 346.13 (1) or (3) may be required to forfeit not less than \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100 for the 2nd or subsequent conviction within a year.

(2) Any person violating ss. 346.05, 346.07 (2) or (3), 346.072, 346.08, 346.09, 346.10 (2) to (4), 346.11, 346.13 (2) or 346.14 to 346.16 may be required to forfeit not less than \$30 nor more than \$300.

346.18(7): Entering alley or driveway from highway.

(a) The operator of any vehicle intending to turn to the left into an alley or private driveway across the path of any vehicle approaching from the opposite direction shall yield the right-of-way to the vehicle.

(b) The operator of any vehicle crossing a sidewalk or entering an alley or driveway from a highway shall yield the right-of-way to any pedestrian, vehicle or conveyance on the sidewalk or in the alley or driveway.

346.22(1)(a): Penalty for violating sections 346.18 to 346.21.

Except as provided in par. (b), any person violating s. 346.18 or 346.20 (1) may be required to forfeit not less than \$20 nor more than \$50 for the first offense and not less than \$50 nor more than \$100 for the 2nd or subsequent conviction within a year.

346.23: Crossing controlled intersection or crosswalk.

(1) At an intersection or crosswalk where traffic is controlled by traffic control signals or by a traffic officer, the operator of a vehicle shall yield the right-of-way to a pedestrian, or to a person who is riding a bicycle or electric personal assistive mobility device in a manner which is consistent with the safe use of the crosswalk by pedestrians, who has started to cross the highway on a green or "Walk" signal and in all other cases pedestrians, bicyclists, and riders of electric personal assistive mobility devices shall yield the right-of-way to vehicles lawfully proceeding directly ahead on a green signal. No operator of a vehicle proceeding ahead on a green signal may begin a turn at a

controlled intersection or crosswalk when a pedestrian, bicyclist, or rider of an electric personal assistive mobility device crossing in the crosswalk on a green or "Walk" signal would be endangered or interfered with in any way. The rules stated in this subsection are modified at intersections or crosswalks on divided highways or highways provided with safety zones in the manner and to the extent stated in sub. (2).

(2) At intersections or crosswalks on divided highways or highways provided with safety zones where traffic is controlled by traffic control signals or by a traffic officer, the operator of a vehicle shall yield the right-of-way to a pedestrian, bicyclist, or rider of an electric personal assistive mobility device who has started to cross the roadway either from the near curb or shoulder or from the center dividing strip or a safety zone with the green or "Walk" signal in the favor of the pedestrian, bicyclist, or rider of an electric personal assistive mobility device.

346.24: Crossing at uncontrolled intersection or crosswalk.

(1) At an intersection or crosswalk where traffic is not controlled by traffic control signals or by a traffic officer, the operator of a vehicle shall yield the right-of-way to a pedestrian, or to a person riding a bicycle or electric personal assistive mobility device in a manner which is consistent with the safe use of the crosswalk by pedestrians, who is crossing the highway within a marked or unmarked crosswalk.

(2) No pedestrian, bicyclist, or rider of an electric personal assistive mobility device shall suddenly leave a curb or other place of safety and walk, run, or ride into the path of a vehicle which is so close that it is difficult for the operator of the vehicle to yield.

(3) Whenever any vehicle is stopped at an intersection or crosswalk to permit a pedestrian, bicyclist, or rider of an electric personal assistive mobility device to cross the roadway, the operator of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

346.25: Crossing at place other than crosswalk

Every pedestrian, bicyclist, or rider of an electric personal assistive mobility device crossing a roadway at any point other than within a marked or unmarked crosswalk shall yield the right-of-way to all vehicles upon the roadway.

346.26: Blind pedestrian on highway.

(1) An operator of a vehicle shall stop the vehicle before approaching closer than 10 feet to a pedestrian who is carrying a cane or walking stick which is white in color or white trimmed with red and which is held in an extended or raised position or who is using a dog guide and shall take such precautions as may be necessary to avoid accident or injury to the pedestrian. The fact that the pedestrian may be violating any of the laws applicable to pedestrians does not relieve the operator of a vehicle from the duties imposed by this subsection.

(2) Nothing in this section shall be construed to deprive any totally or partially blind person not carrying the white or the red and white cane or walking stick or not using a dog guide of the rights of other pedestrians crossing highways, nor shall the failure of such totally or partially blind pedestrian to carry such cane or walking stick or to use a dog guide be evidence of any negligence.

(3) No person who is not totally or partially blind shall carry or use on any street, highway or other public place any cane or walking stick which is white in color, or white trimmed with red.

346.28: Pedestrians to walk on left side of highway; pedestrians, bicyclists, and riders of electric personal assistive mobility devices on sidewalks.

(1) Any pedestrian traveling along and upon a highway other than upon a sidewalk shall travel on and along the left side of the highway and upon meeting a vehicle shall, if practicable, move to the extreme outer limit of the traveled portion of the highway.

(2) Operators of vehicles shall yield the right-of-way to pedestrians, bicyclists, and riders of electric personal assistive mobility devices on sidewalks as required by s. 346.47.

346.38: Pedestrian control signals. Whenever special pedestrian control signals exhibiting the words "Walk" or "Don't Walk" are in place, such signals indicate as follows:

(1) **Walk.** A pedestrian, or a person riding a bicycle or electric personal assistive mobility device in a manner which is consistent with the safe use of the crossing by pedestrians, facing a "Walk" signal may proceed across the roadway or other vehicular crossing in the direction of the signal and the operators of all vehicles shall yield the right-of-way to the pedestrian, bicyclist, or electric personal assistive mobility device rider.

(2) **Don't walk.** No pedestrian, bicyclist, or rider of an electric personal assistive mobility device may start to cross the roadway or other vehicular crossing in the direction of a "Don't Walk" signal, but any pedestrian, bicyclist, or rider

of an electric personal assistive mobility device who has partially completed crossing on the "Walk" signal may proceed to a sidewalk or safety zone while a "Don't Walk" signal is showing.

346.43: Penalty for violating sections 346.37 to 346.42.

- (1)(a) Any pedestrian violating s. 346.37 or 346.38 may be required to forfeit not less than \$2 nor more than \$20 for the first offense and not less than \$10 nor more than \$50 for the 2nd or subsequent conviction within a year.
- (b) 1. Unless otherwise provided in subd. 2. or 3., any operator of a vehicle violating ss. 346.37 to 346.39 may be required to forfeit not less than \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100 for the 2nd or subsequent conviction within a year.
- (b) 2. Any operator of a bicycle or electric personal assistive mobility device violating s. 346.37, 346.38 or 346.39 may be required to forfeit not more than \$20.
- (b) 3. If an operator of a vehicle violates s. 346.37 or 346.39 where persons engaged in work in a highway maintenance or construction area or in a utility work area are at risk from traffic, any applicable minimum and maximum forfeiture specified in subd. 1. for the violation shall be doubled.
- (2) Any person violating s. 346.42 may be required to forfeit not less than \$30 nor more than \$300.
- (3) Any person violating s. 346.41 may be required to forfeit not less than \$25 nor more than \$200 for the first offense and may be required to forfeit not less than \$50 nor more than \$500 for the 2nd or subsequent conviction within a year.

346.46: Vehicles to stop at stop signs and school crossings.

- (1) Except when directed to proceed by a traffic officer or traffic control signal, every operator of a vehicle approaching an official stop sign at an intersection shall cause such vehicle to stop before entering the intersection and shall yield the right-of-way to other vehicles which have entered or are approaching the intersection upon a highway which is not controlled by an official stop sign or traffic signal.
- (2) Stops required by sub. (1) shall be made in the following manner:
 - (a) If there is a clearly marked stop line, the operator shall stop the vehicle immediately before crossing such line.
 - (b) If there is no clearly marked stop line, the operator shall stop the vehicle immediately before entering the crosswalk on the near side of the intersection.
 - (c) If there is neither a clearly marked stop line nor a marked or unmarked crosswalk at the intersection or if the operator cannot efficiently observe traffic on the intersecting roadway from the stop made at the stop line or crosswalk, the operator shall, before entering the intersection, stop the vehicle at such point as will enable the operator to efficiently observe the traffic on the intersecting roadway.
- (2m) Every operator of a motor vehicle approaching a school crossing which is controlled by an adult school crossing guard appointed under s. 120.13 (31) or 349.215 shall follow the directions of the school crossing guard. If directed by the school crossing guard to stop, the operator shall stop the vehicle not less than 10 feet nor more than 30 feet from the school crossing and shall remain stopped until the school crossing guard directs the operator to proceed.
- (3) Every operator of a vehicle approaching an official stop sign at a railroad crossing shall, before proceeding on or over such crossing, stop the vehicle not less than 10 nor more than 30 feet from the nearest rail.
- (4) (a) Every operator of a vehicle approaching an official stop sign or official temporary stop sign erected mid-block on or in the roadway by local authorities under s. 349.07 (6) shall cause such vehicle to stop not less than 10 nor more than 30 feet from such official sign except when directed to proceed by a traffic officer. (b) As used in this subsection "mid-block" has the meaning given it in s. 346.33 (3).

346.465: Owner's liability for vehicle illegally crossing controlled school crossing.

- (1) Subject to s. 346.01 (2), the owner of a vehicle involved in a violation of s. 346.46 (2m) shall be liable for the violation as provided in this section.

346.47: When vehicles using alley or nonhighway access to stop.

- (1) The operator of a vehicle emerging from an alley or about to cross or enter a highway from any point of access other than another highway shall stop such vehicle immediately prior to moving on to the sidewalk or on to the sidewalk area extending across the path of such vehicle and shall yield the right-of-way to any pedestrian, bicyclist, or rider of an electric personal assistive mobility device, and upon crossing or entering the roadway shall yield the right-of-way to all vehicles approaching on such roadway.
- (2) The operator of a vehicle on an alley shall stop such vehicle immediately before crossing or entering an intersecting alley, whether or not such intersecting alley crosses the alley on which the vehicle is being operated.
- (3) The operator of a vehicle about to cross or enter a highway from a point of access other than another highway is

not required to stop in compliance with sub. (1) if a traffic control officer or official traffic control device directs or permits otherwise.

346.48: 346.48 Vehicles to stop for school buses displaying flashing lights.

(1) The operator of a vehicle which approaches from the front or rear any school bus which has stopped on a street or highway when the bus is equipped according to s. 347.25 (2) and when it is displaying flashing red warning lights, shall stop the vehicle not less than 20 feet from the bus and shall remain stopped until the bus resumes motion or the operator extinguishes the flashing red warning lights. The operator of any school bus which approaches from the front or rear any school bus which has stopped and is displaying flashing red warning lights shall display its flashing red lights while stopped. This subsection does not apply to operators of vehicles proceeding in the opposite direction on a divided highway.

(3) If the operator of a motor vehicle overtakes a school bus which is stopped and is loading or unloading pupils or other authorized passengers at an intersection on the right side of a roadway in a business or residence district in which the display of the flashing red warning lights on the school bus is not permitted, the operator shall pass at a safe distance to the left of the school bus and shall not turn to the right in front of the school bus at that intersection.

346.485: 346.485 Owner's liability for vehicle illegally passing school bus.

(1) Subject to s. 346.01 (2), the owner of a vehicle involved in a violation of s. 346.48 (1) shall be liable for the violation as provided in this section.

346.49: Penalty for violating ss. 346.44 to 346.485.

(1) (a) Unless otherwise provided in par. (b) or (c), any person violating s. 346.46 (1), (2m) or (4) or 346.47 may be required to forfeit not less than \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100 for the 2nd or subsequent conviction within a year.

(b) Any operator of a bicycle or electric personal assistive mobility device violating s. 346.46 (1), (2m) or (4) may be required to forfeit not more than \$20.

(c) If an operator of a vehicle violates s. 346.46 (1) where persons engaged in work in a highway maintenance or construction area or in a utility work area are at risk from traffic, any applicable minimum and maximum forfeiture specified in par. (a) for the violation shall be doubled.

(1g) (a) Unless otherwise provided in par. (b), any person violating s. 346.46 (3) shall forfeit not less than \$40 nor more than \$80 for the first offense and not less than \$100 nor more than \$200 for the 2nd or subsequent conviction within a year.

(b) Any operator of a bicycle or electric personal assistive mobility device violating s. 346.46 (3) shall forfeit not more than \$40.

(1m) A vehicle owner or other person found liable under s. 346.465 may be required to forfeit not less than \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100 for the 2nd or subsequent conviction within a year. Imposition of liability under s. 346.465 shall not result in suspension or revocation of a person's operating license under s. 343.30, nor shall it result in demerit points being recorded on a person's driving record under s. 343.32 (2) (a).

(2) Any person violating s. 346.455 or 346.48 may be required to forfeit not less than \$30 nor more than \$300.

(2m) (a) Unless otherwise provided in par. (b), any person violating s. 346.44 may be required to forfeit not more than \$1,000.

(3) A vehicle owner or other person found liable under s. 346.485 or 346.457 may be required to forfeit not less than \$30 nor more than \$300. Imposition of liability under s. 346.485 or 346.457 shall not result in suspension or revocation of a person's operating license under s. 343.30, nor shall it result in demerit points being recorded on a person's driving record under s. 343.32 (2) (a).

(4) Any person violating s. 346.475 may be required to forfeit not less than \$50 nor more than \$200.

346.52: 346.52 Stopping prohibited in certain specified places.

(1) No person may stop or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, in any of the following places:

(a) Within an intersection.

(b) On a crosswalk.

(c) Between a safety zone and the adjacent curb, or within 15 feet of a point on the curb immediately opposite the end of a safety zone unless a different distance is clearly indicated by an official traffic sign or marker or parking meter.

(d) On a sidewalk or sidewalk area, except when parking on the sidewalk or sidewalk area is clearly indicated by official traffic signs or markers or parking meters.

(1m) Notwithstanding sub. (1) (a) and (b), if snow accumulation at the usual bus passenger loading area makes it difficult to load or discharge bus passengers, the driver may stop a motor bus to load or discharge passengers on a crosswalk at an intersection where traffic is not controlled by a traffic control signal or a traffic officer.

(2) During the hours of 7:30 a.m. to 4:30 p.m. during school days, no person may stop or leave any vehicle standing, whether temporarily or otherwise, upon the near side of a through highway adjacent to a schoolhouse used for any children below the 9th grade. If the highway adjacent to the schoolhouse is not a through highway, the operator of a vehicle may stop upon the near side thereof during such hours, provided such stopping is temporary and only for the purpose of receiving or discharging passengers. This subsection shall not apply to villages, towns or cities when the village or town board or common council thereof by ordinance permits parking of any vehicle or of school buses only on the near side of specified highways adjacent to schoolhouses during specified hours, or to the parking of vehicles on the near side of highways adjacent to schoolhouses authorized by s. 349.13 (1j).

346.53: Parking prohibited in certain specified places. 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:

(5) Closer than 15 feet to the near limits of a crosswalk.

346.56: Penalty for violating sections 346.503 to 346.55.

(1m) Any person violating s. 346.52 to 346.54 or 346.55 (3) or (4) may be required to forfeit not less than \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100 for the 2nd or subsequent conviction within a year.

346.57: Speed restrictions.

(2) **Reasonable and prudent limit.** No person shall drive a vehicle at a speed greater than is reasonable and prudent under the conditions and having regard for the actual and potential hazards then existing. The speed of a vehicle shall be so controlled as may be necessary to avoid colliding with any object, person, vehicle or other conveyance on or entering the highway in compliance with legal requirements and using due care.

(3) **Conditions requiring reduced speed.** The operator of every vehicle shall, consistent with the requirements of sub. (2), drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hillcrest, when traveling upon any narrow or winding roadway, when passing school children, highway construction or maintenance workers or other pedestrians, and when special hazard exists with regard to other traffic or by reason of weather or highway conditions.

(4) **Fixed limits.** In addition to complying with the speed restrictions imposed by subs. (2) and (3), no person shall drive a vehicle at a speed in excess of the following limits unless different limits are indicated by official traffic signs:

(a) Fifteen miles per hour when passing a schoolhouse at those times when children are going to or from school or are playing within the sidewalk area at or about the school.

(b) Fifteen miles per hour when passing an intersection or other location properly marked with a "school crossing" sign of a type approved by the department when any of the following conditions exists:

1. Any child is present.

2. A school crossing guard is within a crosswalk at the intersection or the other location or, if no crosswalk exists, is in the roadway at the intersection or the other location.

3. A school crossing guard is placing in or removing from the roadway at or near the intersection or the other location a temporary sign or device that guides, warns, or regulates traffic.

(c) Fifteen miles per hour when passing a safety zone occupied by pedestrians and at which a public passenger vehicle has stopped for the purpose of receiving or discharging passengers.

(d) Fifteen miles per hour in any alley.

(e) Twenty-five miles per hour on any highway within the corporate limits of a city or village, other than on highways in outlying districts in such city or village.

(i) Fifteen miles per hour on any street or town road, except a state trunk highway or connecting highway, within, contiguous to or adjacent to a public park or recreation area when children are going to or from or are playing within such area, when the local authority has enacted an ordinance regulating such traffic and has properly marked such area with official traffic control devices erected at such points as said authority deems necessary and at those points on the streets or town roads concerned where persons traversing the same would enter such area from an area where a

different speed limit is in effect.

346.60: Penalty for violating sections 346.57 to 346.595.

(1) Except as provided in sub. (5), any person violating s. 346.59 may be required to forfeit not less than \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100 for the 2nd or subsequent conviction within a year.

(2) (a) Except as provided in sub. (3m) or (5), any person violating s. 346.57 (4) (d) to (g) or (h) or (5) or 346.58 may be required to forfeit not less than \$30 nor more than \$300.

(b) Except as provided in sub. (3m) or (5), any person violating s. 346.57 (4) (gm) may be required to forfeit not less than \$50 nor more than \$300.

(3) Except as provided in sub. (3m) or (5), any person violating s. 346.57 (2), (3) or (4) (a) to (c) may be required to forfeit not less than \$40 nor more than \$300 for the first offense and may be required to forfeit not less than \$80 nor more than \$600 for the 2nd or subsequent conviction within a year.

(3m) (a) If an operator of a vehicle violates s. 346.57 (2), (3), (4) (d) to (h) or (5) where persons engaged in work in a highway maintenance or construction area or in a utility work area are at risk from traffic, any applicable minimum and maximum forfeiture specified in sub. (2) or (3) for the violation shall be doubled.

(b) If an operator of a vehicle violates s. 346.57 (2) to (5) when children are present in a zone designated by "school" warning signs as provided in s. 118.08 (1), any applicable minimum and maximum forfeiture specified in sub. (2) or (3) for the violation shall be doubled.

(4) Any person violating s. 346.595 may be required to forfeit not less than \$30 nor more than \$300.

(5) (a) Any operator of a bicycle or electric personal assistive mobility device who violates s. 346.57 may be required to forfeit not more than \$20.

(b) Any operator of a bicycle or electric personal assistive mobility device who violates s. 346.59 may be required to forfeit not more than \$10.

349.185: Authority to regulate certain events and pedestrians. The authority in charge of the maintenance of a highway may by order, ordinance or resolution:

(1) Regulate community events or celebrations, processions or assemblages on the highways, including reasonable regulations on the use of radios or other electric sound amplification devices, subject to s. 84.07 (4).

(2) Regulate the traffic of pedestrians upon highways within its jurisdiction, including the prohibition of pedestrian crossings at places otherwise permitted by law and the erection of signs indicating such prohibition.

349.20: Authority to prohibit use of bridges for fishing or swimming. The authority in charge of maintenance of a highway on which is located a bridge or approach thereto which constitute an undue traffic hazard, if used by pedestrians for the purpose of fishing or swimming, may erect signs prohibiting the fishing or swimming off of such bridge or approach.

349.235: Authority to restrict use of in-line skates on roadway.

(1) The governing body of any city, town, village or county may by ordinance restrict the use of in-line skates on any roadway under its jurisdiction. No ordinance may restrict any person from riding upon in-line skates while crossing a roadway at a crosswalk.

(2) The department of natural resources may promulgate rules designating roadways under its jurisdiction upon which in-line skates may be used, except that no rule may permit a person using in-line skates to attach the skates or himself or herself to any vehicle upon a roadway.

Spring Green: § 292-6. Obstructing streets and sidewalks. No person shall stand, sit, loaf or loiter or engage in any sport or exercise on any public street, bridge or public ground within the Village in such manner as to prevent or obstruct the free passage of pedestrian or vehicular traffic thereon or to prevent or hinder free ingress and egress to or from any place or business or amusement, church, public hall or meeting place.

Middleton: 5. Street. All public ways and thoroughfares and bridges on the same. It includes the entire width between the boundary lines of every way open to the use of the public as a matter of right for the purposes of vehicular travel. It includes those roads or driveways in the City which have been opened to the use of the public for the purpose of vehicular travel. It includes all roads or driveways in the City which have been opened to the use of the public for the purpose of vehicular travel and roads or driveways upon the grounds of public schools as defined in Wis. Stats. § 115.01(1), and institutions under the jurisdiction of the County Board of Supervisors, but it does not include private roads or driveways as defined in Wis., Stats. § 340.01(46). November 2016 Chapter 16 Page 15 (b) Obstructing Streets. No person shall obstruct, loiter, cause a nuisance, or engage in any sport or exercise on any public street, sidewalk, bridge, or public ground within the City in such a manner as to: 1. Prevent or obstruct the free passage of pedestrian or vehicular traffic thereon. 2. Prevent or hinder free ingress and egress to or from any place of business, or amusement, church, public building, school, or meeting place. 3. Cause a nuisance by congregating and hindering the free passage of pedestrian or vehicular traffic. (c) Obstructing Sidewalk Prohibited. No person shall block any sidewalk or bridge by obstructing the same so that it is impossible for a pedestrian to travel along the sidewalk without leaving the sidewalk and walking on adjacent property or on the street. (

CHAPTER 29

VEHICLES AND TRAFFIC
(Rep. & Rec. GO 16-03)

Subchapter I – General Provisions

- 29.101 State Traffic Laws Adopted
- 29.102 Traffic Powers and Duties
- 29.103 Traffic, Bicycle and Pedestrian Commission (Amd. GO 9-16)
- 29.104 Registration as Evidence

Subchapter II – Parking Regulations

- 29.201 Definitions
- 29.202 Class “A” Parking Violations
- 29.203 Class “B” Parking Violations
- 29.204 Class “C” Parking Violations
- 29.205 Class “D” Parking Violations
- 29.206 Class “E” Parking Violations
- 29.207 Towing of Motor Vehicles
- 29.208 Index of Regulated Parking Areas
- 29.209 Contesting Parking Citations
- 29.210 Authority to Issue Parking Citations
- 29.211 Penalties for Parking Violations

Subchapter III – Traffic Regulations

- 29.301 Park and Recreation Speed Zones
- 29.302 Stop Signs at Arterial Highways
- 29.303 Heavy Traffic Routes
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- 29.306 Disorderly Conduct with a Motor Vehicle
- 29.307 Index of Traffic Regulations
- 29.308 Mufflers, Prevention of Noise
- 29.309 Impoundment and Seizure of Loud Devices and Vehicles (Cr. GO 34-10)

Subchapter IV – Bicycles

- 29.401 Registration
- 29.402 Equipment Regulations
- 29.403 Regulation of Bicycle Operation
- 29.404 Motor Bicycles

- (d) Firm seat and back.
- (e) Attachment to frame a three points with bolts or nuts.

(3) **SAFE CONDITION.** Bicycles that are not mechanically safe shall not be operated on the streets of the City.

29.403 REGULATION OF BICYCLE OPERATION. In addition to those provisions of the Wisconsin Statutes applicable to the operation of bicycles, the following regulations shall apply.

(1) **CLINGING TO OTHER VEHICLES.** No person riding upon a bicycle shall cling to or attach himself/herself or a bicycle to any moving vehicle.

(2) **CONTESTS WITH OTHER VEHICLES.** No person operating a bicycle shall participate in any race, speed, or endurance contest with any other moving vehicle on a City street.

(3) **STUNT RIDING.** No rider of a bicycle shall practice any fancy or acrobatic riding or stunts while operating such bicycle.

(4) **NOT TO OBSTRUCT TRAFFIC.** The rider of a bicycle shall ride as near as practicable to within five feet of the right-hand curb or edge of the roadway, except when passing another vehicle or making a left-hand turn; and when riding in groups, bicyclists shall ride in single file, except on residential streets which are not divided by painted or other marked extra lines where they may ride two abreast. On one-way roads, the rider may ride as near as practicable to within five feet of the left-hand curb or edge of the roadway.

(5) **PARKING.** No bicycle shall be parked upon any sidewalk area or upon any roadway in such a manner as to interfere with free passage of the public.

(6) **TRAFFIC SIGNALS AND SIGNS.** All bicyclists shall obey arterial highway signs and automatic traffic signs.

(7) **WHERE PROHIBITED.** No bicycle shall be operated on a street where prohibited by official signs. In addition to such marked areas, no bicycle shall be operated on the following streets under any circumstances:

- (a) Mason Street (Tilleman Bridge) from the intersection of Tenth Avenue to Jackson Street.
- (b) Ashland Avenue from the intersection of Ninth Street to Third Street.

(8) **BICYCLE ROUTE.** East Shore Drive from its intersection with Circle Street to Nicolet Road is designated as a bicycle route.

(9) **RIDING ON SIDEWALKS.** (Rep. & Rec. GO 8-08) Bicyclists shall be permitted to ride bicycles on sidewalks in residential areas, providing they yield to pedestrians.

(10) **AGE LIMITS.** No person less than eight years of age shall operate a bicycle on City streets, except that persons six or seven years of age may operate a bicycle on City streets during daylight hours if accompanied by an adult also on a bicycle, the child's bicycle to be registered in the parent's name. This paragraph is intended to permit family cycling.

(11) **TOWING OF PERSONS AND VEHICLES PROHIBITED.** (Amd. GO 8-08) The operator of a bicycle shall not tow, drag, or cause to be drawn behind the bicycle any coaster, sled, toy vehicle, person on roller skates, or any other type of conveyance, except for bicycle trailers specifically designed and intended for such use.

(12) **BICYCLE TRAILERS.** The use of bicycle trailers specifically designed and intended for such use is permitted. No such trailer may be used in the transport of passengers unless all of the following apply:

(a) The trailer is specifically designed and manufactured by a company engaged in producing such trailers for resale and intended for transporting passengers.

(b) The trailer is attached to the bicycle by means of a secure hitch sufficient to support and pull the trailer. Such hitch shall be supported by a backup safety chain or device, which shall function in the event of failure of the hitch.

(c) The trailer is equipped with two red rear reflectors and one yellow side reflector on each side, all of which shall be visible for 600 feet to the rear or sides when directly in front of lawful lower beams of head lamps of motor vehicles.

(d) The trailer is equipped with safety belts sufficient to restrain all passengers carried therein. No passenger may be towed who is not secured by such belt.

(e) The trailer is used in accordance with the manufacturer's specifications with particular regard to maximum weight load.

(f) The trailer is designed in such a manner as to allow for the safe operation of the bicycle.

(g) The trailer is equipped with at least two wheels, one on either side of the passenger(s). The wheels shall be supported by an axle or axles of sufficient strength to support the weight load.

(h) The operator of the bicycle shall be responsible for compliance with all the regulations stated above.

(13) **PASSENGERS.** No passenger shall be permitted to ride in a child bicycle seat or a bicycle trailer unless the passenger is wearing a bicycle helmet or other head protection sufficient to protect the passenger's head from impact in the event of a collision, rollover, or other mishap. It shall be the duty of the bicycle operator to comply with this section.

(14) **OPERATOR AGE REQUIREMENTS.** No person under the age of 16 years shall operate a bicycle to transport passengers in a trailer as permitted in subsection (13). No passenger may be carried by an operator of any age on a bicycle not designed or intended for the use of carrying passengers.

(15) **HEADPHONES PROHIBITED.** No bicycle operator shall wear headphones or earphones covering both ears while operating a bicycle.

29.404 MOTOR BICYCLES. No bicycle to which a motor has been added to form a motor driven cycle shall be operated on the streets with more than one person thereon.

**SUBCHAPTER V
MISCELLANEOUS REGULATIONS**

29.501 JAYWALKING.

(1) **PROHIBITION.** Violation of any of the following regulations shall constitute jaywalking:

(a) Pedestrians shall yield right-of-way to vehicles proceeding directly ahead on a green indication or at the direction of a traffic officer.

(b) Pedestrians shall yield the right-of-way to all vehicles upon the roadway when crossing a roadway at any point other than within a marked or unmarked crosswalk.

(c) When walking along or upon a highway other than a sidewalk, pedestrians shall walk on and along the left side of the highway and upon meeting a vehicle, step to the extreme outer limit of the traveled portion of the highway if practicable.

(d) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is difficult for the operator of the vehicle to yield.

(e) Pedestrians shall not cross a street within one-half block of a controlled intersection or marked crosswalk at any point other than at a crosswalk.

(f) Pedestrians shall not initiate a crossing at a controlled intersection at any time other than when facing a green or "walk" indication or when so instructed by a traffic officer.

(2) **CONTROLLED INTERSECTION DEFINED.** A controlled intersection is any intersection at which electric stop and go vehicular or pedestrian control signals have been installed.

29.502 SNOWMOBILE REGULATIONS.

(1) **PUBLIC PROPERTY RESTRICTIONS.** No person shall operate a snowmobile on the following publicly-owned property:

(a) Packerland Industrial Park.

(b) Lambeau Field and the Lambeau Field parking area.

(c) Public parks, unless otherwise designated by the Park Committee.

(d) Schools and school playgrounds.

(e) Sidewalks.

29.505 IN-LINE SKATE REGULATIONS.

(1) STATE LAWS APPLICABLE. Every person using in-line skates upon a public roadway shall be subject to the provisions of all ordinances and State laws applicable to the operator of any vehicle, except those provisions with reference to equipment of vehicles and those provisions that, by their nature, would have no application.

(2) PUBLIC SIDEWALKS OR WALKWAYS. Every person using in-line skates upon a sidewalk or walkway shall yield the right-of-way to any pedestrian and shall exercise due care when passing any other person.

(3) RIDING ON ROADWAY.

(a) Every person using in-line skates on a two-way public street or alley shall keep as close to the right-hand curb as possible and shall proceed with traffic. Every person using in-line skates upon a one-way public street or alley shall proceed in the direction of the one-way traffic.

(b) Every person using in-line skates upon a roadway shall ride single file on all public roadways which have center lines or have lines indicated by painting or other markings. On public roadways and alleys not divided by painted or other marked center lines or lane lines, in-line skaters may ride two abreast.

(c) Persons using in-line skates upon a public roadway shall not impede the normal and reasonable movement of motor vehicle traffic.

(4) CLINGING TO MOVING VEHICLES PROHIBITED. It shall be unlawful for any person using in-line skates to cling to or attach to any bicycle or other moving vehicle upon a public roadway.

(5) OBSERVANCE OF TRAFFIC REGULATIONS. Every person using in-line skates upon a public roadway shall stop for all stop signs and traffic signals.

(6) YIELDING TO TRAFFIC. The operator of a vehicle shall yield the right-of-way to a user of in-line skates in the same manner as for bicyclists and pedestrians. When using in-line skates, every person shall, upon entering a public roadway, yield the right-of-way to motor vehicles, except that a person using in-line skates shall be subject to the same regulations as bicyclists and pedestrians.

(7) PRIVATE PROPERTY. It shall be unlawful for any person to in-line skate on the private driveway or paved parking lots of another unless said in-line skater has first obtained permission from the homeowner or person in control of said property. A citation may be issued only upon complaint by the property owner or person in control of the property.

(8) EQUIPMENT REGULATIONS. Lamps and Reflectors. Every person using in-line skates between one-half hour after sunset and one-half hour before sunrise shall be equipped with a lamp firmly attached to the front of such person exhibiting a white light to the front, and with a reflector on the rear visible at a distance of 500 feet. The reflector shall not be less than 3" in diameter. A lamp on the rear exhibiting a red light may also be used.

MUNICIPAL CODE OF THE VILLAGE OF HOWARD, WISCONSIN

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OFFICIALS

of the

VILLAGE OF HOWARD, WISCONSIN

AT THE TIME OF THIS CODIFICATION

Village President

Burt R. McIntyre

Village Trustees	
Ronald Bredael	Wards 1 and 2
James Widiger	Wards 3 and 4
Cathy Hughes	Wards 5 and 6
George Speaker	Wards 7 and 8
Jim Lemorande	Wards 9 and 10
Kelly Crouch	Wards 11 and 12
David Steffen	Wards 13 and 14
Daniel Deppeler	Wards 15 and 16

Sec. 34-369. - Traffic ordinances apply to bicycle operations.

Every person propelling or riding a bicycle upon a public roadway shall be subject to the provisions of all village ordinances and state laws applicable to the operator of any vehicle, except those provisions which by their nature would have no application, and to all state laws specifically regulating bicycles.

(Comp. Ords. 2000, § 7.13(5); Ord. No. 1998-42)

Sec. 34-370. - Operating bicycles on sidewalks regulated.

No person may operate a bicycle on village sidewalks, except upon sidewalks abutting unpaved streets. Such rider, upon meeting or passing a pedestrian, shall dismount at least ten feet from such pedestrian and shall not remount the bicycle until having passed such pedestrian.

(Comp. Ords. 2000, § 7.13(6); Ord. No. 1998-42)

Sec. 34-371. - Riding bicycles on the roadway.

(a)

Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction allowing a minimum of three feet between the bicycle and the vehicle, and shall give an audible signal when passing a bicycle rider proceeding in the same direction.

(b)

Persons operating bicycles upon the roadway shall ride single file, but may ride two abreast if such operation does not impede the normal and reasonable movement of traffic. Bicycle operators riding two abreast on a two-lane or more roadway shall ride within a single lane.

(c)

Any person operating a bicycle or electric personal assistive mobility device upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as close as practicable to the righthand edge or curb of the unobstructed traveled roadway, including operators who are riding two or more abreast where permitted under this article except:

(1)

When overtaking and passing another vehicle proceeding in the same direction.

(2)

When preparing for a left turn at an intersection or into a private road or driveway.

(3)

When reasonably necessary to avoid unsafe conditions, including fixed or moving objects, parked or moving vehicles, pedestrians, animals, surface hazards or substandard width lanes that make it unsafe to ride along the righthand edge or curb.

(d)

No person operating a bicycle upon the public roadway shall participate in any race or speed or endurance contest with any other vehicle.

(e)

Every person operating a bicycle upon a public roadway shall stop for all arterial highway and automatic traffic signals.

(f)

No person shall park a bicycle upon any sidewalk or street in such a manner as to interfere with the free passage of the public.

(g)

No person may operate a bicycle upon a roadway where a sign is erected indicating that bicycle riding is prohibited.

(h)

Except as provided in Wis. Stats. §§ 346.23, 346.24, 346.37 and 346.38, every rider of a bicycle shall, upon entering on a highway, yield the right-of-way to motor vehicles.

(Comp. Ords. 2000, § 7.13(7); Ord. No. 1998-42)

State Law reference— Riding a bicycle on roadway, Wis. Stats. § 346.80.

Sec. 34-85. - State laws applicable.

Every person using inline skates or skateboards upon a public roadway shall be subject to the provisions of all ordinances and state laws applicable to the operator of any vehicle, except those provisions with reference to equipment of vehicle and except those provisions which by their nature would have no application.

VILLAGE OF ALLOUEZ

Allouez Village Hall • 1900 Libal Street • Green Bay, Wisconsin 54301-2453
Phone No.: (920) 448-2800 • Fax No.: (920) 448-2850

Department of Public Works

RIVERSIDE DRIVE PEDESTRIAN CROSSINGS UPDATE

South Riverside Crossing

1. Design is 95% complete.
2. WisDOT has approved the design.
3. WisDOT has approved funding for the equipment and installation.
4. Easement negotiations are underway with both residents.
 - a. West side of crossing: Property owner would like relocation of storage building and concrete pad replaced. Revised the easement to accommodate property owner's request to move to corner of lot. Will need to decide on compensation for easement.
 - b. East side of crossing: Property owner would like reducing length of easement. Would like approval to modify fence at southwest corner of lot to lower curved fence, and would like permission to place a new storage building adjacent to relocated fence in northwest corner of lot. Property owner wants compensation for property used for easement.
 - c. Completing easements will take 6-8 weeks to complete.
5. Village will incur costs:
 - a. Relocation of fences (retain fence contractor).
 - b. Concrete work to be done by street project concrete contractor.
 - c. Will need to find contractor to relocate the storage building.
 - d. Remove large tree on east side lot. Will have to get a contractor for this.
6. Met with WisDOT on June 6th to further define project work and schedule.

North Riverside Drive Crossing

1. Concept design shows that crossing cannot be at Marine Street because sight distance is not adequate. Examining a location south of Marine near the first curve in Riverside Drive. This location will require modifying the sidewalk and driveway on east side of Riverside Drive to meet ADA. May need to relocate one or more commercial signs on east side of roadway to obtain sight distance.
2. Concept design of sidewalk from Riverside to the Fox River Trail can be done by switchbacks and landings to meet ADA.
3. Sidewalk will be necessary along Marine and Riverside to connect the crossing to the trail.
4. Property acquisition or permanent easement needed on sign property at Marine Street for sidewalk.
5. This pedestrian crossing must be a rapid flashing beacon signal rather than the hybrid signal (Hawk) crossing due to lack of pedestrian data to meet warrants.
6. Once the location is determined based on sight distance, then the other details can be finalized. "Riverside South Ped Crossing Update June 2017, C. Berndt, June 5, 2017"

VILLAGE OF ALLOUEZ

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Department of Public Works

WEBSTER AVENUE DOWNTOWN DEVELOPMENT PROJECT

Concept Plan

The Graef concept plan for the Allouez Downtown Area Development--Webster Avenue (Kalb to Allouez Avenue) and St Joseph Street—is nearing completion. It is expected that the concept development plan will be presented to the village board in July and August.

The concept plan will show the top-view of how this area can be developed, the street cross-section that will provide pedestrian and bicycle access, and the decorative items such ornamental street lighting. The concept plan is to illustrate what this commercial area can be developed into.

Path Forward

After review and input to the concept plan by the village board, the board can decide on the path forward for future development if so desired. This would ideally be in August or September.

Preliminary Project Cost Estimate

The next step in the development of the Webster Avenue Downtown Area would be the preliminary estimate of project cost and schedule. This would be a consultant preliminary cost development due the extent of the work required, and the experience with cost estimating for a complex commercial project. The schedule should be a 90-day period to complete the initial project definition and prepare the construction cost.

Project Design

Assuming that this project will move forward, design of the project and acquisition of property should be in 2018 and possibly extending into 2019 if necessary.

Project Financing

The project construction should be financed via the Tax Increment District. Funding has been estimated a \$1.9 million for the Webster Avenue corridor from Allouez Avenue to Kalb Street for the sidewalks and street/sidewalk ornamental lighting. This is financed via the TIF district.

Additional funding, for street reconstruction, is to be provided by a bond issue.

The St. Joseph Street improvements are also funded via the TIF district and a bond issue. West St. Joseph Street should be reconstructed at the same time because of the need and the proximity to the Webster Avenue improvements.

The Brown County Highway Department has included \$1.3 million in funding for north Webster Avenue for street repairs and improvements. This is budgeted for 2023 but can be moved as needed due to flexibility in the sales tax funding.

Summary

It is recommended that further development of the Webster Avenue Downtown Area project be conducted to estimate the construction costs and project schedule.

Based on the information developed a decision as to what portions of Webster Avenue are to be reconstructed and improved, and the schedule can be selected.

It is important that funding for part of construction cost is provided via the TIF district and there funds need to be utilized.

PROPOSED TIF PROJECT COST ESTIMATES

Village of Allouez, WI
Tax Increment District No. 1
Project List



Page 29
Map ID

Projects

Development Incentives/Revolving Loan Fund¹

Cost from Project List Estimates²

Development Area #1

- 1 Webster Avenue Reconstruction: (Kaib to St. Joseph) Street, Utility, Power, Upgrade Lighting, Traffic Signals
- 1 Webster Avenue Reconstruction: (Kaib to St. Joseph) Sidewalks/Ornamental Street Lighting
- 2 Marine Street Reconstruction: Street, Utility, Power, Upgrade Lighting, Traffic Signals
- 2 Marine Street Reconstruction: Sidewalks/Ornamental Street Lighting
- 7 to 10 Projects Within a 1/2 mile radius

Development Area #2

- 3 Webster Avenue Reconstruction: (St. Joseph to Allouez Avenue) Street, Utility, Power, Upgrade Lighting, Traffic Signals
- 3 Webster Avenue Reconstruction: (St. Joseph to Allouez Avenue) Sidewalks/Ornamental Street Lighting
- 4 East St. Joseph Street (Webster to Libal) Street Lighting, Power
- 4 East St. Joseph Street (Webster to Libal) Sidewalks/Ornamental Street Lighting
- 11 Projects Within a 1/2 mile radius

Development Area #3

- 5 Webster Avenue Reconstruction: (Kaib to north Village Limits) Street, Utility, Upgrade Lighting, Power
- 5 Webster Avenue Reconstruction: (Kaib to north Village Limits) Sidewalks/Ornamental Street Lighting
- 6 West St. Joseph Street (Webster to Riverside)

Total Needed for Projects

Projects Within TID

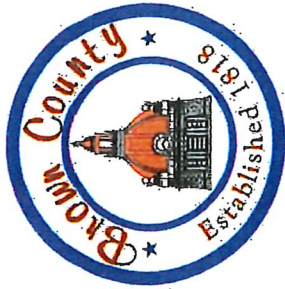
Projects Within 1/2 Mile Radius

Notes:

- 1. Placeholder estimate.
- 2. See Project List Summary. These costs are conceptual level construction estimates intended for preliminary use only. Funding applications and project budgeting should be based on detailed project cost estimates, which require preliminary engineering.

TID Supported	Levy Supported	Total
1,000,000	0	1,000,000
0	2,650,000	2,650,000
750,000	0	750,000
900,000	0	900,000
200,000	0	200,000
0	900,000	900,000
0	2,425,000	2,425,000
750,000	0	750,000
450,000	0	450,000
200,000	0	200,000
0	800,000	800,000
0	1,725,000	1,725,000
400,000	0	400,000
400,000	400,000	800,000
5,050,000	8,900,000	13,950,000
5,050,000	7,200,000	12,250,000
0	1,700,000	1,700,000





2018-2023 HIGHWAY CAPITAL IMPROVEMENT PLAN



0.5% Sales Tax CIP



May 22, 2017

Year CIP Summary 2018 - 2023
 Highway & Bridge Improvement Projects

CALENDAR YEAR 2022

COUNTY HIGHWAY	PROJECT LOCATION	LANE MILES	IMPROVEMENT TYPE	TOTAL COST	FEDERAL FUNDS	MUNICIPAL FUNDS	COUNTY FUNDS	FUNDED TO DATE	SALES TAX NEEDED	LEVY NEEDED
Fernando Drive	CTH U to CTH GE Village of Hobart	4.00	Surface Maintenance, 2-Lane Rural, Asphalt	350,000	-	-	350,000	-	350,000	-
CTH BB	CTH R to County Line Town of New Denmark	1.20	Recondition, 2-Lane Rural, Asphalt	330,000	-	-	330,000	-	330,000	-
CTH T	STH 29 to Town Line Rd Town of Eaton	4.06	Recondition, 2-Lane Rural, Asphalt	1,110,000	-	-	1,110,000	-	1,110,000	-
CTH V	CTH Q to Debra Lane Village of Bellevue	4.88	Recondition, 4-Lane Urban, Asphalt	1,100,000	-	-	1,100,000	-	1,100,000	-
CTH HS	Roundabout at White Pine Village of Suamico	0.25	Reconstruct, Roundabout Urban, Asphalt	1,250,000	-	Suamico 625,000	625,000	-	625,000	-
CTH X	Rosemont Drive to STH 172 Village of Allouez	1.88	CPR - Concrete Pavement Repair Urban, Concrete	500,000	-	Allouez -	500,000	-	500,000	-
CTH EB	CTH VK to Mason Street City of Green Bay	-	CPR - Concrete Pavement Repair Urban, Concrete	680,000	-	Green Bay -	680,000	-	-	680,000
CTH C	CTH FF to Greenfield Ave Village of Howard	1.50	Reconstruct, 2-Lane Urban, Asphalt	3,240,000	-	Howard 1,620,000	1,620,000	-	1,620,000	-
CTH C	Greenfield Ave to Glendale Ave Village of Howard	3.66	Reconstruct, 2-Lane Urban, Asphalt	5,460,000	-	Howard 2,730,000	2,730,000	-	2,517,947	212,053
CTH F	Lawrence Drive to American Boulevard City of DePere	1.04	CPR - Concrete Pavement Repair Urban, Concrete	250,000	-	DePere -	250,000	-	250,000	-
Prelim CTH M	CTH HS to W. Deerfield Avenue Village of Howard/Village of Suamico	-	Right of Way Acquisition 2024 Construction	-	-	Howard 112,500 Suamico 112,500	-	-	-	-
	Preliminary Costs for (Permitting, Culverts, Guardrail, Etc.)	-	-	250,000	-	-	250,000	-	-	-
total Lane Miles:	22.47	19.55	---	\$ 14,970,000	\$ -	\$ 5,200,000	\$ 9,770,000	\$ -	\$ 8,402,947	\$ 1,367,053

Key:

Surface Maintenance
Recondition Project
Reconstruction
Maintenance Project
Preliminary Costs
Scheduled But Not Funded

Profile mill 2-inches of existing asphalt and pave one (1) new 2.5-inch asphalt mat.
 Mill 4-inches of existing asphalt, repair poor subgrade areas, and pave one (1) new 2.5-inch asphalt binder mat and (1) new 2-inch asphalt surface mat.
 Remove existing pavement and/or stone base, culvert and/or bridge replacement, and place new asphalt or concrete.
 Concrete Pavement Repair (CPR), crack filling asphalt roads, safety improvements, or traffic signals.
 Engineering, right-of-way, permitting, culvert pipes, guardrail, etc. prior to a resurfacing, reconditioning, or reconstruction project.
 Federal/State aid applied for but not secured yet.

Year CIP Summary 2018 - 2023
 Highway & Bridge Improvement Projects

CALENDAR YEAR 2023

COUNTY HIGHWAY	PROJECT LOCATION	LANE MILES	IMPROVEMENT TYPE	TOTAL COST	FEDERAL FUNDS	MUNICIPAL FUNDS	COUNTY FUNDS	FUNDED TO DATE	SALES TAX NEEDED	LEVY NEEDED
CTH NN	NIN- Pine Grove Road to CTHR Town of Ladysview	1.60	Recondition, 2-Lane Rural, Asphalt	440,000			440,000		440,000	
CTH P	P- STH 54 to CTH K Town of Green Bay	6.00	Recondition, 2-Lane Rural, Asphalt	1,650,000			1,650,000		1,650,000	
CTH Z	Z- Oulagamita Road to CTH D Town of Holland	2.00	Recondition, 2-Lane Rural, Asphalt	1,100,000			1,100,000		1,100,000	
CTH XX	XX-19 East River Bridge to Bellevue St. Village of Bellevue	0.92	Reconstruct, 2-Lane Urban, Asphalt	2,129,000		Bellevue 1,064,500	1,064,500		1,064,500	
CTH M	M- Belmont Road to CTH HS Village of Howard/Village of Suamico	4.65	Reconstruction, 5-Lane Urban, Asphalt	5,800,000		Howard 1,450,000 Suamico 1,450,000	2,900,000		1,762,947	1,117,053
CTH Z	Z- Bridge Over Branch River Town of Morrison	0.18	Bridge Replacement	315,000			315,000		315,000	
CTH X	X- STH 172 to Grignon Street Village of Allouez	7.52	CPR - Concrete Pavement Repair Urban, Concrete	1,300,000		Allouez	1,300,000		1,300,000	
	Preliminary Costs for (Permitting, Culverts, Guardrail, Etc.)			250,000			250,000			250,000
Total Lane Miles:	Asphalt Paving Lane Miles:	15.35	---	\$ 12,984,000	\$	\$ 3,964,500	\$ 9,019,500	\$	\$ 7,652,447	\$ 1,367,053

Key:

Surface Maintenance
Recondition Project
Reconstruction
Maintenance Project
Preliminary Costs
Scheduled But Not Funded

Profile mill 2-inches of existing asphalt and pave one (1) new 2.5-inch asphalt mat.
 Mill 4-inches of existing asphalt, repair poor subgrade areas, and pave one (1) new 2.5-inch asphalt binder mat and (1) new 2-inch asphalt surface mat.
 Remove existing pavement and/or stone base, culvert and/or bridge replacement, and place new asphalt or concrete.
 Concrete Pavement Repair (CPR), crack filling asphalt roads, safety improvements, or traffic signals.
 Engineering, right-of-way, permitting, culvert pipes, guardrail, etc. prior to a resurfacing, reconditioning, or reconstruction project.
 Federal/State aid applied for but not secured yet.

PORT & RESOURCE RECOVERY DEPARTMENT

Brown County

2561 SOUTH BROADWAY
GREEN BAY, WI 54304

PHONE: (920) 492-4950 | FAX: (920) 492-4957

DEAN R. HAEN

DIRECTOR

June 2, 2017

Craig Berndt
Village of Allouez
1900 Libal St.
Green Bay, WI 54301

RE: Department Update - Follow-up to May 25, 2017 Municipal Meeting

Dear Mr. Berndt:

Following-up to our recent meeting, this memo is intended to inform and update our Brown County municipal partners with regards to Brown County Port & Resource Recovery Department activities. Currently, the County is finalizing a new 5-year Resource Recovery Strategic Plan. The plan will set goals and objectives for the future. The goals from the current strategic plan have resulted in many positive outcomes, several of which are discussed in this memo.

The financial performance of the County, and more so our collaboration in Tri-County recycling and solid waste activities in 2016, resulted in **accumulation of \$3.5 million in operating cash.** The increase in Tri-County recycling and solid waste activities can be attributed to recent increases in recycling commodity markets and **the benefit of no capital investments in the landfill for the last two years.** The current Tri-County landfill financial performance will change with the current construction of the Phase III sequence.

County recycling/solid waste user fee funds are segregated and remain in our enterprise system for the benefit of current and future users. Attached are copies of the *2013 County Board Resolution* and the *2016 Annual Report* for supporting documentation. Both documents provide a summary of the users' fees accumulated in each account and the fund purpose. The benefit of accumulating funds for future use is a significant reduction or complete avoidance of future bonding.

County Board Policy states that the working capital balance in the Operating Cash Fund shall maintain 45 days of expenses or 10% of the annual operating budget in operating cash. The total 2016 budget was \$11 million; therefore, 10% of the Department's budget is \$1.1 million. At the end of the fiscal year, if the working capital balance exceeds 10%, that amount may be transferred to the Rate Stabilization Fund or another fund at the discretion of the Department. **Capital investments in 2017 and 2018 will total over \$1 million** and include the following projects; concrete recycling tip floor replacement, replacement of a portion of the transfer station asphalt road, replacement of a front-end loader at the Recycling Transfer Station, a

pickup truck, a UTV, an HVAC unit, and a compactor at the Waste Transfer Station and adding several rapid open doors.

At its April 17, 2017 meeting, **the Solid Waste Board voted to make the following Operating Cash Fund transfers; \$500,000 to Rate Stabilization Fund and the balance to Capital Replacement Fund.** The creation of the Rate Stabilization Fund was suggested by our municipal stakeholders in 2012 and identified as a goal in the strategic plan as a way to help mitigate a large increase in tipping fees over one or more years when the South Landfill opens. **Stakeholders determined that \$1 million would be the appropriate amount of money in this account** and we are proud to inform you that the County has fully funded the account well ahead of the opening of the South Landfill.

For your information, municipalities who signed the 2012 5-year Solid Waste Management Service Agreements will automatically renew for another five (5) years. In the current agreement, tipping fee increases are limited to the change in the June to June Consumer Price Index (CPI). Based on input from the urban municipalities, Brown County will be using the change in the May to May CPI. This change should have no financial impact, but it will make it easier for Brown County in the preparation of its budget.

If you have any questions, please contact me at 920.492.4953 or haen_dr@co.brown.wi.us. Otherwise, we look forward to seeing you at 1:00 pm on June 20, 2017 for our Stakeholder Meeting at the Ashwaubenon Community Center, 936 Anderson Drive, Green Bay, WI.

Sincerely,

A handwritten signature in black ink, appearing to be 'D Haen', with a horizontal line extending to the right.

Dean Haen

Port & Resource Recovery Director