

ARTICLE III
Parking
[Adopted 9-19-2005 by Ord. No. 05-09]

§ 340-11. State parking regulations adopted.

Unless otherwise prohibited by state law, the statutory provisions describing and defining regulations with respect to parking and traffic are hereby adopted and by reference made a part of this article as if fully set forth herein:

Wis. Stats. § Subject

346.50	Exceptions to stopping and parking restrictions
346.503	Parking spaces for handicapped vehicles
346.505	Parking in area reserved for handicapped
346.51	Stopping outside of business or residence districts [Amend Subsection (1)(a) from 15 feet to 18 feet]
346.54	How to park and stop on streets
346.53	Parking prohibited in certain specified places

§ 340-12. Parking prohibited.

No owner or operator of any vehicle shall park, stop, or leave standing a motor vehicle or trailer in violation of traffic regulations or signs in any of the following areas:

- A. Within an intersection.
- B. Upon any portion of a highway in the Town of Erin where and at a time when stopping or standing is prohibited by official traffic signs.
- C. Within any Town park other than in designated areas.
- D. Snow emergency. Whenever the Director of Emergency Management or Town Chair, by reason of heavy snowstorm or blizzard, proclaims a snow emergency, no person shall park, stop, or leave standing any vehicle upon any Town of Erin public roads or any portions of roads during the hours of such proclamation.
- E. Private property. When a sign indicating "no parking" is clearly posted on private property, no person shall park a motor vehicle thereon without written permission of the owner or lessee. This includes private roads.
- F. Within 20 feet of a driveway entrance to any government building.
- G. The Town may create temporary no parking areas. This becomes effective upon proper posting of the area.

§ 340-13. Parking in certain areas prohibited.

No person, unless authorized by the Director of Emergency Management in writing, driving as an operator of a motor vehicle, shall stop, park, or leave standing a motor vehicle at the below noted areas, where the Town of Erin has installed "no parking" signs to designate these areas. These areas are designated for official "no parking" signs:

- A. Dry hydrants (within 50 feet of):
 - (1) Hydrant located on Druid Lake Road at the Ashippun River. NE 1/4 of SW 1/4 of Section 6 Town 9N Range 18E.
 - (2) Hydrant located on STH 167 west of CTH K. SE 1/4 of NW 1/4 of Section 15 Town 9N Range 18E.
 - (3) Hydrant located on CTH Q at the Oconomowoc River. SW 1/4 of SW 1/4 of Section 35 Town 9N Range 18E.
- B. Underground water tanks (within 50 feet of):
 - (1) Tank located on Roosevelt Road at Erin Road. NW 1/4 of NW 1/4 of Section 30 Town 9N Range 18E.

§ 340-14. Parking on certain roads prohibited.

No person, unless authorized by the Town in writing, driving as an operator of a motor vehicle, shall stop, park, or leave standing a motor vehicle at the below noted areas, where the Town of Erin has installed "no parking" signs to designate these areas. These areas are designated for official "no parking" signs:

- A. Year-round restrictions. Parking is prohibited on the following roads at all times.

Name of Street	Side	Location
Clearwater Beach Road	Both	From Town limits south until it becomes a private road. Boat launch parking is limited to designated stalls only.
Donegal Road	Both	That portion east of County Trunk Highway K east to Emerald Drive
Emerald Drive	Both	Entire length
Shamrock Lane	Both	That portion from County Trunk Highway K east to Emerald Drive
St. Augustine Road	Both	That portion from Monches Road north to Hogsback Road

- B. Winter parking restrictions effective November 1 through April 1. Parking is prohibited on the following roads from November 1 through April 1 of the following year.

Name of Street Side Location

Lough Lane West Entire length

- C. Temporary restrictions to be in effect from March 15 through March 19 of each year during St. Patrick's Parade. Parking is prohibited on the following roads:

Name of Street Side Location

Log House Road North From County Trunk Highway K east to its end

Pleasant Hill Road North From County Trunk Highway K east to County Trunk Highway CC

Shannon Road North From County Trunk Highway K east to County Trunk Highway CC

§ 340-15. Applicability.

- A. The provisions of this article shall apply to all public roads in the Town of Erin.
- B. Any authorized Town official is empowered to enforce this article.
- C. Municipal vehicles and/or officials in performance of duties are exempt from the provisions of this article.
- D. Bona fide utility vehicles are also exempt.

§ 340-16. Removal of illegally parked vehicles; violations and penalties.

- A. Whenever any Town or county law enforcement officer or official authorized to enforce this article has reason to believe that a vehicle is in violation of any provision of the Town ordinances, or of any laws or regulations of the State of Wisconsin, or is creating congestion or is obstructing traffic, he is authorized to require the owner or operator of said vehicle, if able to be found, to move the vehicle to a position not creating a public nuisance. Where the owner cannot be located or is not able to safely move said vehicle, the officer may issue a citation and then have the vehicle towed to a storage lot. Nothing in this section shall prohibit the issuance of a citation to an unlawfully parked or standing vehicle where the vehicle is not towed away. The vehicle shall not be released to the owner of said vehicle until a release from the Town is obtained, which release will be issued upon payment of the citation or the posting of a bond. The owner will further satisfy any mechanic's lien rights which the Town or the towing company may have prior to obtaining the return of said vehicle.
- B. Penalty. The Forfeiture shall be paid to the Clerk, Town of Erin within 7 days of the issuance of a citation. Payments not made within 7 days but before 45 days

shall incur an additional \$25 forfeiture. The Town may ask WIS DOT to suspend and refuse vehicle registration for unpaid fines, greater than 45 days, in addition to a \$50 forfeiture. The Town of Erin may also assess the Administrative costs for this.

- (1) Any person violating § 340-12 of this article shall be required to forfeit \$25 for the first offense and not less than \$40 nor more than \$100 for the second or subsequent violations within a year.
- (2) Any person violating § 340-13 of this article shall be required to forfeit \$60 for the first offense and not less than \$100 nor more than \$150 for the second or subsequent violations within a year.

§ 340-17. Prosecution.

- A. Policy. It is the declared policy of this Town that ownership of a vehicle is sufficiently related to causing, allowing or permitting a vehicle to be parked so as to require the owner to be responsible for the parking of said vehicle.
- B. Responsibility. The person or other legal entity to which a vehicle is registered on the date of a parking ordinance shall be chargeable with said violation.
- C. Presumption. It shall be presumed, upon a showing by the Town, that a parking violation occurred, and upon a showing that the party charged pursuant to this article was the registered owner of the unlawfully parked vehicle on the date of the violation, that said registered owner is responsible for and guilty of the violation charged.
- D. Overcoming presumption. The presumption in Subsection C, when established as therein specified, shall constitute a prima facie case and a basis for judgment, except where the person or other legal entity to which the vehicle is registered overcomes said presumption by the submission of proof of any of the following:
 - (1) The vehicle was stolen at the time the violation occurred and reported as such to law enforcement authorities within a reasonable time thereafter.
 - (2) The vehicle was lawfully parked.
 - (3) The ownership of the vehicle was lawfully transferred to another prior to the violation.
 - (4) The owner held a lawfully assigned permit to park in a restricted area.
- E. Limitation. This article does not prohibit the actual operator of the vehicle responsible for the parking violation to be prosecuted for said violation. However, where the owner is charged, no other charges shall be brought against another, pending the outcome of said action, and the conviction of the owner shall bar further prosecutions for the same offense.