

GENERAL CODE OF ORDINANCES
CHAPTER 7 – PUBLIC SAFETY- TRAFFIC

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7.01 ROAD SIGNS. Installed according to State Statutes.

A. Stop signs. All stop signs on town roads, as shown on map in appendix E chapter 15 of this code, are previously located stop signs approved by the Town Board of the Town of Cooperstown.

B. Parking signs and enforcement. All parking signs on town roads as shown on map in appendix E, chapter 15 of this code, are approved by the town board of the Town of Cooperstown and enforced under SS 346.50 to 346.56. Penalties see chapter 15 of this code

C. Speed limit. In the interest of public safety, the following road shall have a 35 or 45 mile-per-hour speed limit posted:

1. Nachtwey Road from Zander Road to town line is posted 35 mile per hour
2. Hidden Valley Road from west of Chvala Road east towards Rosecrans Road is posted 45 miles per hour, Hidden Valley Road between CTH T and Rosecrans Road is posted 35 miles per hour
3. Hickory Grove Road east of Kvitek Road towards Rosecrans Road is posted 45 miles per hour and as shown on map in appendix E, chapter 15 of this code

D. Warning signs. Theft, vandalism or desecration of sign or post will be prosecuted according to State Statutes and Town Ordinance. Review chapter 15 for penalties. All signs are shown on the map in the chapter 15 under appendix E.

7.02 FIRE PROTECTION.

A. The Town shall enter annually into contact for fire protection with the Maribel Fire Department and Menchalville Fire Department.

B. Fire Department and Town of Cooperstown will agree on a mil rate of assessed value

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of property in respective sections. Menchalville covers Section 30 & 31, while the Maribel Fire Department covers the remaining portion of the Town.

C. 2% Fire Dues are paid to respective Fire Departments based on assessed value of covered areas.

7.03 AMBULANCE SERVICE. The Town of Cooperstown will contract annually for ambulance service coverage.

7.04 LAW ENFORCEMENT. Effective July 9, 1997, pursuant to 1983 Wis. Act 532, Sec. 60.22(4) the Town Board shall determine the jurisdiction and duties of the Town Constable. It is in the public interest and welfare to establish the jurisdiction and duties of the Constable of the Town of Cooperstown. The Town Board of Supervisors of the Town of Cooperstown, does ordain as follows:

A. Statutory Authority: Pursuant to Sec 60.22 (4) and Sec 60.35 of 1983 Wis. Act 532, the Town Board of Supervisors of the Town of Cooperstown, hereby establishes the jurisdiction and duties of the Town Constable of the Town of Cooperstown, as described herein.

B. Jurisdiction and Duties: The Town Constable of the Town of Cooperstown shall:

1. Suppress unlawful assemblies within the Town of Cooperstown pursuant to Sec. 947.06 of Wis. Statutes.
2. Serve within their County any writ, process, order or notice, and execute any order, warrant or execution lawfully directed to or required to be executed by them by any court or officer.
3. Attend open sessions of the Circuit Court in his County when required by the Sheriff.
4. Inform the District Attorney of all trespasses on public lands on which they have knowledge or information.
5. Impound cattle, horses, sheep, swine and other animals at large on the highways in violation of any duly published order or ordinance adopted by the Town Board.
6. Perform all other duties required by any law.
7. Cause to be enforced and prosecuted all violations of town ordinances of which they have knowledge or information.
8. Act on behalf of the Town Board as directed to:
 - a. See that town orders and ordinances are obeyed.
 - b. See that peace and order are maintained in the town.
 - c. Obtain necessary assistance, if available, in case of emergency, except as provided under Chapter 166 of Wis. Statutes for emergency government.
9. Attend Annual and Regular Monthly Meetings to give a report to the Town Board.

C. Non-exclusivity:

1. Other Ordinance: Adoption of this ordinance does not preclude the Town

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Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter.

2. Other Remedies: The jurisdiction and duties of the Town Constable as stated herein shall not preclude the Town Board or any other Town Officer from proceeding under any ordinance or law or by any other enforcement method to enforce any ordinance, regulation, or order.

D. Severability:

1. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

7.05 EMERGENCY GOVERNMENT AGREEMENT. Manitowoc County and municipalities located within the boundaries of Manitowoc County have implemented an Enhanced 911 System for the purpose of providing emergency services, including fire fighting, law enforcement, ambulance, medical, and other emergency services, to resident of the county and the municipalities and WI Stat. Sec 256.35 (9) requires that public agencies implementing such an Enhanced 911 System shall annually enter into a Joint Powers agreement; specifies that the Joint Powers Agreement shall be applicable on a daily basis; and states that the Joint Powers Agreement shall provide that if an emergency services vehicle is dispatched in response to a request through the Manitowoc County Enhanced 911 System, such vehicle shall render its services to the persons needing the services, regardless of whether the vehicle is operating outside of the vehicle’s normal jurisdictional boundaries; and in consideration of the mutual agreements, conditions, and promises contained herein, Manitowoc County and Town of Cooperstown agree as follows:

A. The agreement shall become effective yearly upon signature and shall continue in effect and be applicable on a daily basis for a period of one year thereafter.

B. If an emergency services vehicle operated by the Town of Cooperstown or operated by an agency with which the Town of Cooperstown contracts is dispatched in response to a request through the Manitowoc County Enhanced 911 System, such vehicle whether owned and operated by the Town of Cooperstown or by a contracting agency shall render its services to the persons needing the services regardless of whether the vehicle is operating outside of the vehicle’s normal jurisdictional boundaries or outside of the boundaries as defined by the contract between the Town of Cooperstown and the contracting agency.

C. This agreement shall be filed with the Wisconsin Department of Justice and the Wisconsin Department of Administration as required by WI Stat. Sec 256.39(9)(c).

7.06 HOUSE NUMBERS. Any property with improvements/building shall be required to obtain and display a house number in plain view. The Town Clerk shall assign the house number according to county regulations.

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A. Town will supply the first house number sign, the property owner is responsible for lost, stolen or damaged signs

7.07 MAILBOX INSTALLATION.

A. Purpose. This Ordinance is intended to establish standards for the safe installation of mailboxes within the right-of-way adjacent to highways in Town of Cooperstown. The term “mailbox” means any device used to receive mail, newspapers, packages, or similar items and the term includes any structure used to support the mailbox.

B. Authorization. A person may install and maintain a mailbox within the right-of-way

adjacent to or near the person’s residence provided the mailbox complies with all requirements established by the United States Postal Service and all requirements established by this ordinance.

C. Requirements.

1. Location. A mailbox must be placed on the right side of the highway, except in the case of one-way traffic; at the far side of the driveway; and a minimum of 60 feet from any intersecting road in the direction of the delivery route.

2. Setback. The mailbox must be set back a sufficient distance so that no portion of the mailbox extends over the traveled portion of the highway or the outside edge of the shoulder.

3. Height. The bottom of the mailbox receptacle must be a minimum of 42 inches to a maximum of 48 inches from the street surface.

4. Material. A mailbox must be constructed of light sheet metal, plastic, or a similar material. The mailbox must be firmly attached to any support structure in order to minimize the possibility of its separating from the structure if struck by a vehicle.

5. Number and Separation. No more than two mailboxes may be mounted on a single support post. A light weight newspaper box mounted below a mailbox will not be counted toward this limit. Support posts must be separated by a distance that is equal to three-quarters of the height of the support posts.

6. Support Structure. A mailbox support structure must be designed to break off or move out of the way if struck by a vehicle. No support may extend more than 24 inches into the ground; be placed in concrete; or fitted with an anchor plate. A metal support may have an anti-twist device if the device does not extend more than 10 inches below the ground surface. The maximum material specifications for a support post are:

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- a. A square wood post must not be larger than 4 inches by 4 inches nominal.
- b. A round wood post must not be larger than 4 inches in diameter.
- c. A metal pipe must have an inside diameter of 1 1/2 inches or less.
- d. A metal channel must weigh less than 2 pounds per foot.

D. Variance. The Town Chairman is authorized to grant a variance on a case by case basis to any requirement specified in subsection C provided the variance is authorized in writing and does not compromise public safety.

E. Enforcement. This Ordinance may be enforced under the provisions of Wisconsin Statutes Section 86.04 pertaining to highway encroachments.

F. STATE LAW ALSO APPLIES. Nothing contained herein shall be deemed to limit or restrict the application of any State Law or Administrative regulation of any State Agency regulating this subject.

7.08 SNOWMOBILE ROUTES.

A. MANITOWOC COUNTY PUBLIC SNOWMOBILE TRAIL. The Town of Cooperstown may designate snowmobile routes, pursuant to Chapter 350 Wisconsin Statutes:

B. The Town Board will annually in July review requests from Snowmobile Clubs for routes on Town of Cooperstown road right-of-way.

C. RESTRICTIONS. Any abuse of this privilege will then deem necessary action by Town Board to withdraw usage.

7.09 ALL-TERRAIN VEHICLE ROUTES AND REGULATING OPERATION

A. Authority: The applicable provisions of SS 23.33 regulating ATV/UTV operation pursuant to routes are adopted.

B. Definitions: UTV's and ATV's are defined as any multi-wheel small engine or motor powered vehicle capable of carrying one or more persons as defined by the American National Standards Institute (ANSI) that travels on low-pressure tires and defined in SS 23.33(1).

1. Utility Terrain Vehicle (UTV) means any of the following

- a. A commercially designed and manufactured motor driven device that does not meet federal motor vehicle safety standards in effect on July 1, 2012, that is not a golf cart, low-speed vehicle, dune buggy, mini-truck, or tracked vehicle, that is designed to be used primarily off of a highway, and that has, and was originally manufactured with, all of the following:
 - i. A weight, without fluids, of 2,000 pounds or less.
 - ii. Four or more low-pressure tires or non-pneumatic tires.

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- iii. A steering wheel.
 - iv. A tail light.
 - v. A brake light.
 - vi. Two headlights.
 - vii. A width of not more than 65 inches.
 - viii. A system of seat belts, or a similar system, for restraining each occupant of the device in the event of an accident.
 - ix. A system of structural members designed to reduce the likelihood that an occupant would be crushed as the result of a rollover of the device.
 - x. Adopted by Reference: SS 23.33 (1)(ng)1
- b. A commercially designed and manufactured motor driven device to which all of the following applies:
- i. A weight, without fluids, of more than 900 pounds but no more than 2,000 pounds.
 - ii. A width of 50 inches or less.
 - iii. Equipped with a seat designed to be straddled by the operator.
- c. A commercially designed and manufactured motor driven device to which all of the following applies:
- i. It has a weight, without fluids, of 900 pounds or less.
 - ii. It has a width of 50 inches or less.
 - iii. It is equipped with a seat designed to be straddled by the operator.
 - iv. Travels on 3 or more low-pressure tires or non-pneumatic tires.
 - v. Adopted by Reference SS 23.33 (1)(ng)2
2. All Terrain Vehicle (ATV) means the following
- a. A commercially designed and manufactured motor driven device to which all of the following applies:
 - i. It has a weight, without fluids, of 900 pounds or less.
 - ii. It has a width of 50 inches or less.
 - iii. It is equipped with a seat designed to be straddled by the operator.
 - iv. It travels on 3 or more low-pressure tires or non-pneumatic tires.
 - v. Adopted by Reference SS 340.01(2g)
- C. Routes: All paved road under the jurisdiction of the Town of Cooperstown as denoted by Official County map. Exclusions: State Truck Highways, Connecting Highways, and County Highways.
- D. Conditions: The following conditions shall apply to all operators (and passengers).
- a. Observe all posted speed limits.
 - b. Conform to all State Statutes and Administrative codes regarding registration, noise, and equipment requirements.
 - c. Ordinance allows for operation on paved roadways under the jurisdiction and maintained by Town of Cooperstown.
 - d. Comply with State Certification requirements, including age restrictions and use of helmets.
 - e. Operation of vehicles on the roadway shoulder or in the ROW ditches is prohibited.
 - f. Operation of vehicles on County Highways is prohibited. Vehicles may cross County Highways.
 - g. The vehicle shall have operational headlights, tail lights, and brake lights at all

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times.

- E. Enforcement: This ordinance shall be enforced by any Law Enforcement Agency or Officer authorized to enforce the laws of the State of Wisconsin as defined in SS 23.33(12)(a).
- F. Penalties: Wisconsin State All-Terrain penalties as found in SS 23.33(13) are adopted by reference. Fines are found in Chapter 15 of Town Codes.
- G. Severability: The provisions of the Ordinance shall be deemed severable and it is expressly declared that the Town would have passed the other provisions of this Ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the Ordinance and the application of such provisions to other persons' circumstances shall not be deemed affected.

7.10 PENALTY. Any person, who violates any provision of this chapter, except as otherwise provided, shall be subject to a penalty as provided in Chapter 15 of this code.

Amended March 8, 2016 Ordinance 2016-1

Section 7.09 & 7.10 Approved and amended March 12, 2019 Posted June 7, 2019