



City of Fort Atkinson
City Manager's Office
101 N. Main Street
Fort Atkinson, WI 53538

**ORDINANCE COMMITTEE MEETING
IN PERSON AND VIA ZOOM
TUESDAY, SEPTEMBER 1, 2026 – 6:00 PM
CITY HALL – SECOND FLOOR**

<https://us02web.zoom.us/j/83239915382?pwd=TufglwfgMEYSibT8LjOjmlL4YvP1wXA.1>

Meeting ID: 832 3991 5382

Passcode: 589025

Dial by Location

+1 312 626 6799

If you have special needs or circumstances which may make communication or accessibility difficult at the meeting, please call (920) 397-9901. Accommodations will, to the fullest extent possible, be made available on request by a person with a disability.

AGENDA

- 1. Call meeting to order**
- 2. Roll call**
- 3. Unfinished Business**
- 4. New Business**
 - a. Review, discussion, and possible recommendation to the City Council relating to amendments to the Stormwater Utility Ordinance, Chapter 98 of the City of Fort Atkinson Municipal Code (Navin, Director of Public Works)
 - b. Review and possible recommendation to the City Council relating to penalties for violations of the City's traffic ordinances (stopping, standing, and parking) (Lindsey, Police Captain)
- 5. Adjournment**

Date Posted: August 28, 2026

CC: Ordinance Committee Members; City Council; City Staff; City Attorney; News Media

Notice is hereby given that a majority of the Fort Atkinson City Council will be present at this

meeting at the location and time indicated above to gather information about any subject matters on this agenda over which they have decision-making responsibility. This may constitute a meeting of the City Council pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis.2d 553, 494 N.W.2d 408 (1993), and must be noticed as such although the City Council will not take any formal action at this meeting.

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MEMORANDUM

DATE: September 1, 2026

TO: Committee/Commission/Board

FROM: Zach Navin, Director of Public Works

RE: Review, discussion, and possible recommendation to the City Council relating to amendments to the Stormwater Utility Ordinance, Chapter 98 of the City of Fort Atkinson Municipal Code (Navin, Director of Public Works)

BACKGROUND

The Ordinance Committee has requested that staff prepare an amendment to the City's stormwater utility ordinance that would remove cemetery properties from stormwater utility charges.

The City's stormwater utility currently assesses properties based on their contribution to and use of the community's stormwater management system. Cemetery properties are presently treated in the same manner as other applicable non-residential properties and are assessed based on the City's established stormwater utility rate structure.

In response to the Committee's request, staff reviewed the financial and policy implications of establishing a full exemption for cemeteries, as well as how other municipalities have approached similar requests.

DISCUSSION

Several Wisconsin municipalities provide examples of cemetery exemptions.

Barron, Wisconsin

Barron's stormwater ordinance places "Parks/Open Space/Cemeteries" in an exempt land-use classification and specifically exempts that category from the stormwater management fee. The exemption is therefore based directly on the property's land-use classification.

Chippewa Falls, Wisconsin

Chippewa Falls similarly identifies "Parks/Open Space/Cemeteries" as an exempt classification within its Stormwater Utility provisions. Cemeteries are assigned an exempt utility factor and are separately listed among the land uses exempt from the stormwater management fee.

Rice Lake, Wisconsin

Rice Lake expressly includes cemeteries among the impervious areas exempt from its stormwater utility fee. Rice Lake also maintains a separate stormwater credit program for onsite mitigation and treatment, demonstrating that the community distinguishes between a categorical cemetery exemption and credits earned through stormwater management practices.

Washburn, Wisconsin

Washburn's official stormwater program and rate information identifies cemeteries, along with parks and certain other land uses, as exempt from stormwater utility charges. The exemption identified in staff's research appears in the City's published stormwater program and rate information rather than a directly verified ordinance section.

Staff recognizes that there is municipal precedent for exempting cemetery properties. Barron, Chippewa Falls, Rice Lake and Washburn provide Wisconsin examples demonstrating that such an approach can be incorporated into a stormwater utility rate structure.

At the same time, the research also demonstrates that a complete exemption is not necessary to recognize the unique character of cemetery land. Other communities continue to charge cemeteries or provide partial relief based on the principle that these properties still generate runoff and benefit from the overall stormwater management system. This can be reaffirmed through the attached exhibits showing locations within the City's cemetery's where the pervious surfaces are curbed and directing water towards the City's stormwater infrastructure.

Staff believes cemetery properties should continue to contribute toward the operation and maintenance of the City's stormwater system. While cemeteries have unique land-use characteristics that warrant consideration, a complete exemption is not the preferred mechanism for recognizing those characteristics.

Rather than creating a categorical exemption, staff recommends addressing the unique nature of cemetery properties through a more targeted land-use reduction and the City's stormwater credit policy.

Recommended Alternative: 25% Cemetery Land-Use Reduction. A 25% reduction in stormwater utility charges for qualifying cemetery properties based on the inherent characteristics of cemetery land use.

The reduction would recognize that cemeteries generally contain:

- substantial areas of permanent open space;
- relatively low building coverage;
- limited intensity of development; and
- significant areas capable of infiltration and reduction of stormwater runoff.

Under this approach, cemeteries would remain part of the stormwater utility rate structure but would automatically receive a 25% reduction in recognition of these land-use characteristics.

FINANCIAL ANALYSIS

Based on current charges, the estimated financial impact would be

	Cemetery Current Annual Charge	25% Reduction	Estimated Annual Charge
Lakeview Cemetery	\$1,078.14	\$269.54	\$808.61
Evergreen Cemetery	\$3,868.62	\$967.16	\$2,901.47
St. Joseph's Cemetery	\$652.32	\$163.08	\$489.24
Total	\$5,599.08	\$1,399.77	\$4,199.31

This alternative would provide approximately \$1,399.77 annually in relief to cemetery properties while retaining approximately \$4,199.31 in annual stormwater utility revenue.

The recommended 25% reduction would not replace or limit a cemetery's ability to participate in the City's stormwater credit program.

Cemetery properties could pursue additional reductions when they demonstrate qualifying stormwater management practices, site characteristics, or improvements that reduce their impact on the City's stormwater system in accordance with the City's credit policy.

This creates two separate forms of relief:

1. Land-Use Reduction: A 25% reduction recognizing the inherent characteristics of cemetery properties.
2. Stormwater Credits: Additional reductions based on demonstrated stormwater management benefits or qualifying practices

Staff believes this approach provides a more equitable and defensible framework than a complete exemption. It recognizes that cemeteries are a unique land use while maintaining the principle that properties contributing runoff to and benefiting from the City's stormwater system should participate in funding that system.

RECOMMENDATION

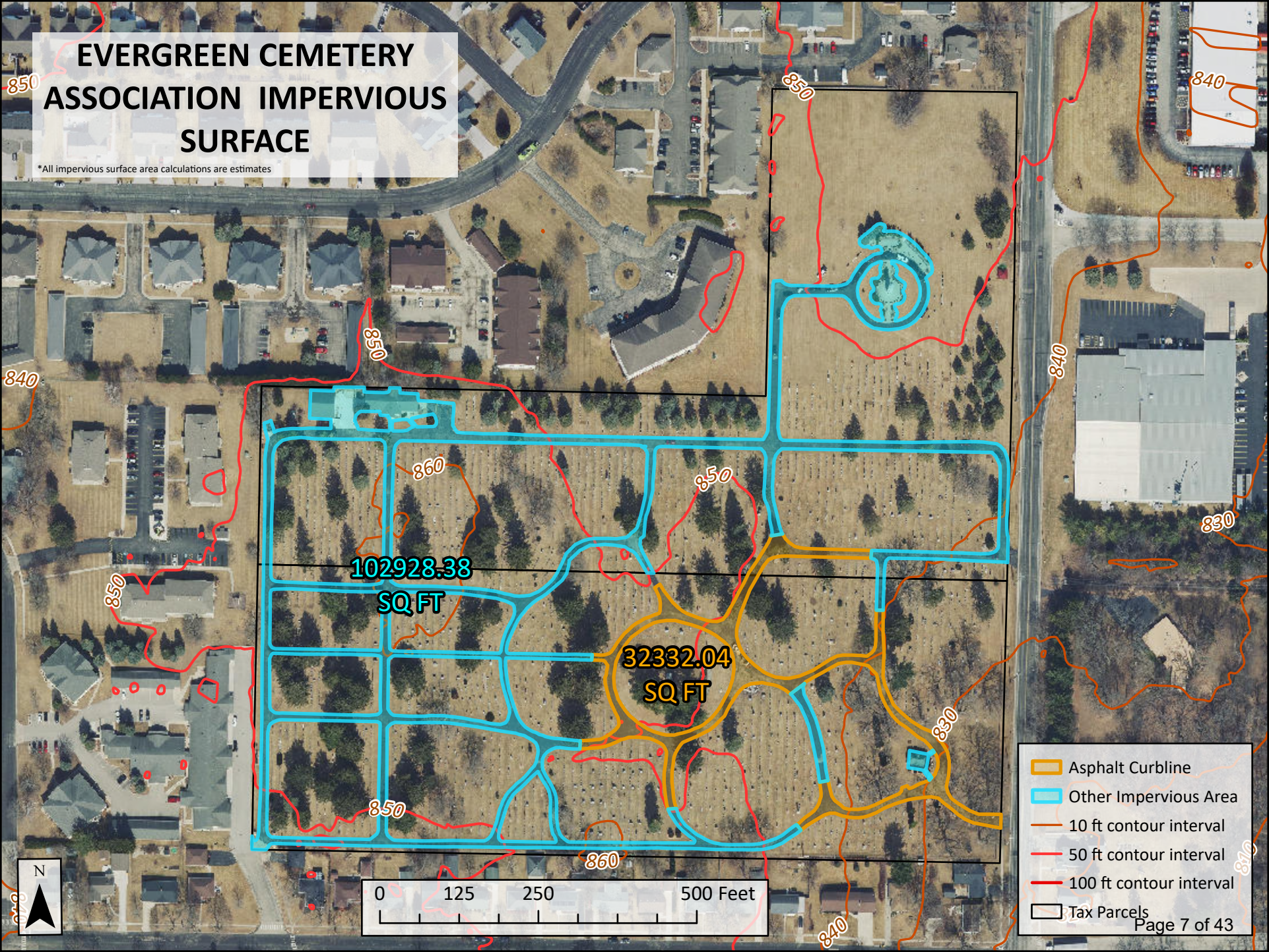
Staff recommends that the Ordinance Committee review both draft ordinances and their financial implications in the short and long term. Staff recommends that the Ordinance Committee recommend the "credit alternate" draft ordinance be reviewed by the City Council at an upcoming meeting.

ATTACHMENTS

1. Cemetery Curblines
2. ARTICLE_V.____STORMWATER_UTILITY
3. ARTICLE_V.____STORMWATER_UTILITY - Exemption
4. ARTICLE_V.____STORMWATER_UTILITY - Credit Alternate

EVERGREEN CEMETERY ASSOCIATION IMPERVIOUS SURFACE

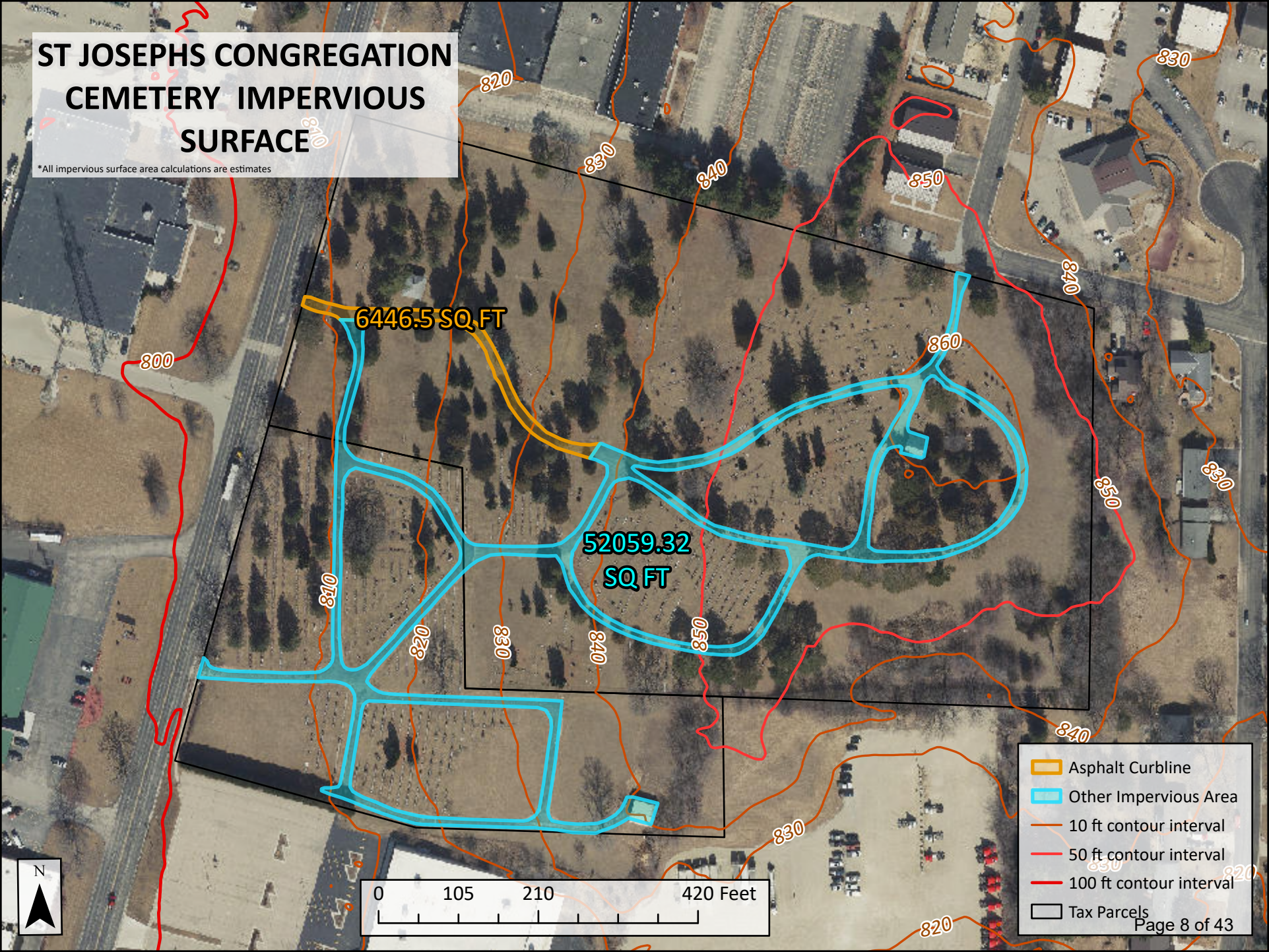
*All impervious surface area calculations are estimates



- Asphalt Curbline
 - Other Impervious Area
 - 10 ft contour interval
 - 50 ft contour interval
 - 100 ft contour interval
 - Tax Parcels
- Page 7 of 43

ST JOSEPHS CONGREGATION CEMETERY IMPERVIOUS SURFACE

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ARTICLE V. STORMWATER UTILITY

Sec. 98-601. Creation.

There is hereby established a stormwater utility in the City of Fort Atkinson. The operation of a stormwater utility shall be under the supervision of the director of public works.

(Ord. No. 680, § 1, 9-1-09)

Sec. 98-602. Authority.

The city, acting through the stormwater utility, may without limitation due to enumeration, do the following:

- (1) Acquire, construct, lease, own, operate, maintain, extend, expand, replace, clean, dredge, repair, manage and finance such facilities and equipment, as are deemed by the city to be proper and necessary for storm and surface water management. These facilities may include, without limitation due to enumeration, surface and underground drainage facilities, pollution control practices, sewers, watercourses, retaining walls, ponds, streets, roads, ditches and such other natural or manmade facilities as will support a stormwater management system.
- (2) Undertake any operations or activities, or provide any services deemed by the city to be proper and necessary for storm and surface water management.
- (3) Maintain compliance with all regulatory requirements for storm and surface water management.

(Ord. No. 680, § 1, 9-1-09)

Sec. 98-603. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the content clearly indicates a different meaning:

City credit policy. The city credit policy is a written document prepared by the director and approved by the city, which sets forth the criteria under which customers may be eligible for a credit to reduce stormwater charges. The city credit policy shall be available through the department of public works prior to the initial billing.

Customer. The term "customer" means the owner or nonowner user of a property with impervious area in the city.

Developed property. The term "developed property" means property that is developed by the addition of an improvement such as a building, structure, grading, other impervious surface, or substantial landscaping, but excluding publicly-owned rights-of-way. A new improvement shall be considered complete upon issuance of a certificate of occupancy, or if no such certificate is issued, upon completion of construction or final inspection. A new improvement shall also be considered complete if the construction project is at least 50 percent complete, and then is halted for a period of three months or more.

Director. The term "director" means the director of public works, or his/her designee.

Equivalent runoff unit (ERU) means 3,096 square feet, which is approximately the statistical average impervious area of one single-family residential housing unit within the city. This definition only applies to this chapter, and not to any other City of Fort Atkinson ordinance.

Impervious area or impervious surface. The terms "impervious area" or "impervious surface" means a horizontal surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by rainwater. It includes, but is not limited to, streets, roofs, sidewalks, parking lots, compacted gravel surfaces, as well as other similar surfaces.

Nonresidential property. The term "nonresidential property" means any developed property not defined as "residential property", including, but not limited to, transient rental (such as hotels and motels), multifamily apartment buildings or condominiums more than four units, commercial, industrial, institutional, governmental property, and parking lots.

Residential property. The term "residential property" means any developed property developed exclusively for residential purposes with four or fewer residential housing units.

(Ord. No. 680, § 1, 9-1-09)

Sec. 98-604. Rates and charges.

- (a) User charges shall be imposed on all developed property with impervious area in the city to recover all or a portion of the costs of the stormwater utility. The amount of such charges shall be based on a rate per equivalent runoff unit (ERU). The rate per ERU shall be established pursuant to further resolution of the City of Fort Atkinson Common Council and shall be fair and reasonable. A schedule of current rates shall be maintained and on file in the office of the city clerk.
- (b) All developed property with impervious area shall be assigned ERUs. Each single-family residential property shall be assigned one ERU. Each two-family residential property shall be assigned 0.7 ERUs/dwelling unit. Each three- and four-family residential property shall be assigned 0.5 ERUs/dwelling unit. Nonresidential property shall be assigned ERUs based upon the amount of impervious area on the property divided by 3,096 square feet, however shall not be less than one ERU.
- (c) In the event the owner and nonowner users of a particular property are not the same, the liability for the charges attributable to that property shall be joint and several.
- (d) The director shall prepare a city credit policy which sets forth available credits to reduce stormwater charges for customers with riparian lands, and for customers who have taken additional stormwater management steps which reduce the city's stormwater management costs (i.e.; does not include credits for rain barrels, rain gardens or minor stormwater management steps).
- (e) Undeveloped and agricultural. No stormwater charge shall be assigned.

(Ord. No. 680, § 1, 9-1-09)

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- (a) Stormwater charges will be billed to the utility customer and shall be payable at the same time and in the same manner as water and wastewater charges. A stormwater utility bill will be established for those properties that do not receive a water/wastewater bill. These bills will be payable at the same time as the other water/wastewater bills. Such charges shall not be payable in installments.

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- (b) The owner of any property, which is occupied by tenants, shall have the right to examine during normal business hours the appropriate records of the city to determine whether such fees and charges have been paid by such tenants.
 - (c) Delinquent stormwater charges may be placed as a lien upon the property as provided in Wis. Stats. §§ 66.0821(4)(d) and 66.0809.
- (Ord. No. 680, § 1, 9-1-09)

Sec. 98-606. Adjustments and credits.

- (a) A nonresidential customer may apply for an adjustment to the ERUs assigned to his, her or its property if the customer believes the impervious area measurements on which the ERU calculation is based are inaccurate.
- (b) Residential and nonresidential customers may apply for a credit to their stormwater charge if the property is eligible for a credit pursuant to the city credit policy.
- (c) Procedure to apply for adjustments or credits.
 - (1) A customer may submit a request for an adjustment or credit at any time. All such requests shall be submitted to the director on forms provided by the city.
 - (2) The director shall have the authority to develop and administer the procedures and standards for adjustment of ERUs or granting of credits as established in this section.
 - (3) The nonresidential customer requesting the adjustment may be required, at his, her or its own expense, to provide supplemental information to the director.
 - (4) Once a completed request and all required information is fully submitted, the director shall have 30 calendar days within which to render a written decision. The director shall notify the requester in writing of the decision by first class mail addressed to the individual at the address listed within the request. Service is conclusive upon mailing.
 - (5) If a request is granted, stormwater charges shall be adjusted on a going forward basis.

(Ord. No. 680, § 1, 9-1-09)

Sec. 98-607. Appeals process.

- (a) The City of Ft. Atkinson elects not to be subject to the administrative review procedure provisions contained within Wis. Stats. ch. 68, and established this section as its municipal review procedure. As a condition precedent to challenging any stormwater utility charge, the charge must be timely paid in full under protest to the city.
- (b) Within 30 calendar days after the date of mailing the director's decision, the customer may appeal the director's decision to the board of public works (board) by filing a written appeal with the city clerk. The written appeal shall specify all grounds for the challenge and shall state the amount of stormwater charge that the appellant considers to be appropriate. The appeal must specifically address the director's conclusions and not merely repeat the bases for the initial request. Failure to timely and properly appeal shall deprive the board of jurisdiction to hear the appeal.
- (c) The board shall conduct a formal hearing at such time and place as designated in a hearing notice to the appellant, providing a minimum of five business days' notice to the appellant. In considering an appeal, the board shall determine whether the stormwater charge is fair and reasonable. The decision shall be based upon the evidence presented at the hearing. The board shall notify the appellant in writing of its

determination by first class mail addressed to the individual at the address listed within the appeal. Service is conclusive upon mailing.

- (d) Within 30 calendar days after the date of mailing the board decision, the customer may appeal the board's decision to the common council following the process set forth in subsection (e) of this section. Failure to timely and properly appeal shall deprive the common council of jurisdiction to hear the appeal.
 - (e) The common council shall consider the appeal in the same manner as a new resolution, pursuant to its rules for procedure in existence at the time of consideration. The city clerk shall provide written notice no later than five business days to the address listed within the appeal of the time and place of the common council's consideration of the appeal. In considering an appeal, the common council shall determine whether the stormwater charge is fair and reasonable. The common council shall base its decision upon the information presented at its meeting. The city clerk shall notify the appellant in writing of the common council's determination by first class mail addressed to the individual at the address listed within the appeal. Service is conclusive upon mailing.
 - (f) As a condition precedent to any adjustment or credit request, or any appeal, a customer must have paid in full all stormwater charges to the city.
 - (g) If an adjustment request is granted, stormwater charges shall be adjusted on a going forward basis.
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Sec. 98-608. Alternative method to collect stormwater charges.

In addition to any other method for collection of the charges established under this section, or subsequent resolution, such charges may be, and are hereby authorized to be levied and imposed on property as a special charge pursuant to Wis. Stats. § 66.0627. The mailing of the bill for stormwater charges to a property owner shall serve as notice to the property owner that failure to pay the charges when due may result in the charges being imposed pursuant to the authority of Wis. Stats. § 66.0627. The procedures contained in Wis. Stats. § 66.0627, shall govern such notice and further collection procedures.

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The stormwater utility finances shall be accounted for in a separate stormwater utility fund by the city. The finance director or his/her designee, shall prepare an annual budget, which is to include all operation and maintenance costs, debt service, capital, and other costs related to the operation of the stormwater utility. The budget is subject to approval by the common council. Any excess of stormwater utility revenues over expenditures in a year will be retained by the fund for subsequent years' needs of the stormwater utility.

(Ord. No. 680, § 1, 9-1-09)

Secs. 98-610—98-635. Reserved.

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(Supp. No. 30)

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(Ord. No. 680, § 1, 9-1-09)

Secs. 98-610. Exemption.

Cemetery properties, as defined in Section 98-603, are exempt from stormwater utility charges.

Sec. 98-611—98-635. Reserved.

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City credit policy. The city credit policy is a written document prepared by the director and approved by the city, which sets forth the criteria under which customers may be eligible for a credit to reduce stormwater charges. The city credit policy shall be available through the department of public works prior to the initial billing.

Customer. The term "customer" means the owner or nonowner user of a property with impervious area in the city.

Developed property. The term "developed property" means property that is developed by the addition of an improvement such as a building, structure, grading, other impervious surface, or substantial landscaping, but excluding publicly-owned rights-of-way. A new improvement shall be considered complete upon issuance of a certificate of occupancy, or if no such certificate is issued, upon completion of construction or final inspection. A new improvement shall also be considered complete if the construction project is at least 50 percent complete, and then is halted for a period of three months or more.

Director. The term "director" means the director of public works, or his/her designee.

Equivalent runoff unit (ERU) means 3,096 square feet, which is approximately the statistical average impervious area of one single-family residential housing unit within the city. This definition only applies to this chapter, and not to any other City of Fort Atkinson ordinance.

Impervious area or impervious surface. The terms "impervious area" or "impervious surface" means a horizontal surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by rainwater. It includes, but is not limited to, streets, roofs, sidewalks, parking lots, compacted gravel surfaces, as well as other similar surfaces.

Nonresidential property. The term "nonresidential property" means any developed property not defined as "residential property", including, but not limited to, transient rental (such as hotels and motels), multifamily apartment buildings or condominiums more than four units, commercial, industrial, institutional, governmental property, and parking lots.

Residential property. The term "residential property" means any developed property developed exclusively for residential purposes with four or fewer residential housing units.

(Ord. No. 680, § 1, 9-1-09)

Sec. 98-604. Rates and charges.

- (a) User charges shall be imposed on all developed property with impervious area in the city to recover all or a portion of the costs of the stormwater utility. The amount of such charges shall be based on a rate per equivalent runoff unit (ERU). The rate per ERU shall be established pursuant to further resolution of the City of Fort Atkinson Common Council and shall be fair and reasonable. A schedule of current rates shall be maintained and on file in the office of the city clerk.
- (b) All developed property with impervious area shall be assigned ERUs. Each single-family residential property shall be assigned one ERU. Each two-family residential property shall be assigned 0.7 ERUs/dwelling unit. Each three- and four-family residential property shall be assigned 0.5 ERUs/dwelling unit. Nonresidential property shall be assigned ERUs based upon the amount of impervious area on the property divided by 3,096 square feet, however shall not be less than one ERU.
- (c) In the event the owner and nonowner users of a particular property are not the same, the liability for the charges attributable to that property shall be joint and several.
- (d) The director shall prepare a city credit policy which sets forth available credits to reduce stormwater charges for customers with riparian lands, and for customers who have taken additional stormwater management steps which reduce the city's stormwater management costs (i.e.; does not include credits for rain barrels, rain gardens or minor stormwater management steps).
- (e) Undeveloped and agricultural. No stormwater charge shall be assigned.

(Ord. No. 680, § 1, 9-1-09)

Sec. 98-605. Payments.

- (a) Stormwater charges will be billed to the utility customer and shall be payable at the same time and in the same manner as water and wastewater charges. A stormwater utility bill will be established for those properties that do not receive a water/wastewater bill. These bills will be payable at the same time as the other water/wastewater bills. Such charges shall not be payable in installments.

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- (b) The owner of any property, which is occupied by tenants, shall have the right to examine during normal business hours the appropriate records of the city to determine whether such fees and charges have been paid by such tenants.
 - (c) Delinquent stormwater charges may be placed as a lien upon the property a provided in Wis. Stats. §§ 66.0821(4)(d) and 66.0809.

(Ord. No. 680, § 1, 9-1-09)

Sec. 98-606. Adjustments and credits.

- (a) A nonresidential customer may apply for an adjustment to the ERUs assigned to his, her or its property if the customer believes the impervious area measurements on which the ERU calculation is based are inaccurate.
- (b) Residential and nonresidential customers may apply for a credit to their stormwater charge if the property is eligible for a credit pursuant to the city credit policy.
- (c) Procedure to apply for adjustments or credits.
 - (1) A customer may submit a request for an adjustment or credit at any time. All such requests shall be submitted to the director on forms provided by the city.
 - (2) The director shall have the authority to develop and administer the procedures and standards for adjustment of ERUs or granting of credits as established in this section.
 - (3) The nonresidential customer requesting the adjustment may be required, at his, her or its own expense, to provide supplemental information to the director.
 - (4) Once a completed request and all required information is fully submitted, the director shall have 30 calendar days within which to render a written decision. The director shall notify the requester in writing of the decision by first class mail addressed to the individual at the address listed within the request. Service is conclusive upon mailing.
 - (5) If a request is granted, stormwater charges shall be adjusted on a going forward basis.

(Ord. No. 680, § 1, 9-1-09)

Sec. 98-607. Appeals process.

- (a) The City of Ft. Atkinson elects not to be subject to the administrative review procedure provisions contained within Wis. Stats. ch. 68, and established this section as its municipal review procedure. As a condition precedent to challenging any stormwater utility charge, the charge must be timely paid in full under protest to the city.
- (b) Within 30 calendar days after the date of mailing the director's decision, the customer may appeal the director's decision to the board of public works (board) by filing a written appeal with the city clerk. The written appeal shall specify all grounds for the challenge and shall state the amount of stormwater charge that the appellant considers to be appropriate. The appeal must specifically address the director's conclusions and not merely repeat the bases for the initial request. Failure to timely and properly appeal shall deprive the board of jurisdiction to hear the appeal.
- (c) The board shall conduct a formal hearing at such time and place as designated in a hearing notice to the appellant, providing a minimum of five business days' notice to the appellant. In considering an appeal, the board shall determine whether the stormwater charge is fair and reasonable. The decision shall be based upon the evidence presented at the hearing. The board shall notify the appellant in writing of its

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determination by first class mail addressed to the individual at the address listed within the appeal. Service is conclusive upon mailing.

- (d) Within 30 calendar days after the date of mailing the board decision, the customer may appeal the board's decision to the common council following the process set forth in subsection (e) of this section. Failure to timely and properly appeal shall deprive the common council of jurisdiction to hear the appeal.
- (e) The common council shall consider the appeal in the same manner as a new resolution, pursuant to its rules for procedure in existence at the time of consideration. The city clerk shall provide written notice no later than five business days to the address listed within the appeal of the time and place of the common council's consideration of the appeal. In considering an appeal, the common council shall determine whether the stormwater charge is fair and reasonable. The common council shall base its decision upon the information presented at its meeting. The city clerk shall notify the appellant in writing of the common council's determination by first class mail addressed to the individual at the address listed within the appeal. Service is conclusive upon mailing.
- (f) As a condition precedent to any adjustment or credit request, or any appeal, a customer must have paid in full all stormwater charges to the city.
- (g) If an adjustment request is granted, stormwater charges shall be adjusted on a going forward basis.

(Ord. No. 680, § 1, 9-1-09)

Sec. 98-608. Alternative method to collect stormwater charges.

In addition to any other method for collection of the charges established under this section, or subsequent resolution, such charges may be, and are hereby authorized to be levied and imposed on property as a special charge pursuant to Wis. Stats. § 66.0627. The mailing of the bill for stormwater charges to a property owner shall serve as notice to the property owner that failure to pay the charges when due may result in the charges being imposed pursuant to the authority of Wis. Stats. § 66.0627. The procedures contained in Wis. Stats. § 66.0627, shall govern such notice and further collection procedures.

(Ord. No. 680, § 1, 9-1-09)

Sec. 98-609. Budget excess revenues.

The stormwater utility finances shall be accounted for in a separate stormwater utility fund by the city. The finance director or his/her designee, shall prepare an annual budget, which is to include all operation and maintenance costs, debt service, capital, and other costs related to the operation of the stormwater utility. The budget is subject to approval by the common council. Any excess of stormwater utility revenues over expenditures in a year will be retained by the fund for subsequent years' needs of the stormwater utility.

(Ord. No. 680, § 1, 9-1-09)

Sec. 98-610. Cemetery land-use credit.

- (a) Purpose. A cemetery land-use credit is established to recognize the predominantly maintained pervious character of qualifying cemetery property while ensuring that cemetery property continues to contribute toward the city's system-wide stormwater utility costs. The credit is land-use-specific and shall not be construed as a general open-space, low-impervious-area, or undeveloped-land credit.

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- (b) Eligibility. A customer responsible for stormwater charges attributable to cemetery property may apply for the cemetery land-use credit. The director may require reasonable documentation to establish that the property is used primarily and actively as cemetery property and may verify continued eligibility.
- (c) Credit amount. Qualifying cemetery property shall receive a credit equal to 25 percent of the stormwater utility charge otherwise calculated under section 98-604. The credit shall not change the property's ERU assignment, impervious-area measurement, or stormwater utility classification and shall be applied as a reduction to the billed stormwater utility charge.
- (d) Additional stormwater management credit. Qualifying cemetery property may separately qualify for an additional credit under the city credit policy for additional stormwater management steps that reduce the city's stormwater management costs. Any additional credit applied to cemetery property under this subsection shall not exceed 20 percent of the stormwater utility charge. The cemetery land-use credit and any additional stormwater management credit may be combined, but the total combined credit shall not exceed 40 percent of the stormwater utility charge.
- (e) Excluded uses. The cemetery land-use credit is specific to cemetery property. Vacant or undeveloped property, agricultural property, public parks or recreational property, golf courses, schools, churches or other religious facilities, private lawns or landscaped areas, commercial open areas, and other property not used primarily and actively for the interment of human remains shall not qualify for the cemetery land-use credit solely because the property contains open, landscaped, or pervious areas. Undeveloped and agricultural property shall remain subject to section 98-604(e).
- (f) Application and decision. Applications shall be submitted and reviewed in accordance with section 98-606(c). The application shall identify the property, the owner or customer, and the basis for cemetery eligibility. If approved, the credit shall be applied on a going-forward basis.
- (g) Continued eligibility and revocation. The cemetery owner or operator shall maintain the property in a manner consistent with the qualifying cemetery use. The director may periodically verify continued eligibility and may review the credit upon sale, redevelopment, substantial change in use or physical condition, or cessation of cemetery use. The director may revoke the credit if the property ceases to qualify or if material information provided in support of the application is inaccurate. Written notice of revocation shall be provided to the customer.
- (h) Appeals. A decision concerning eligibility for, denial of, or revocation of a cemetery land-use credit may be appealed pursuant to section 98-607.
- (i) No residential minor-practice credit created. This section does not establish a residential rain barrel, rain garden, or other minor stormwater-management credit program.

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Secs. 98-61~~10~~—98-635. Reserved.



MEMORANDUM

DATE: September 1, 2026

TO: Committee/Commission/Board

FROM: Ben Lindsey
Captain

RE: Review and possible recommendation to the City Council relating to penalties for violations of the City's traffic ordinances (stopping, standing, and parking) (Lindsey, Police Captain)

BACKGROUND

The City's current parking ordinance establishes specific forfeiture and penalty amounts for parking violations directly within the ordinance. As a result, any future adjustment to parking-related fees requires a formal ordinance amendment.

The proposed revision would remove the specific penalty amounts from the ordinance and instead reference a fee schedule adopted annually by the City Council. This approach separates the fee structure and provides greater flexibility for the City to review and adjust parking-related fees as needed through the annual fee schedule adoption process.

The proposed change is intended to improve administrative efficiency, ensure consistency with other City fees that are established by resolution or fee schedule, and allow the City Council to evaluate parking penalties without requiring amendments to the ordinance itself.

DISCUSSION

The proposed ordinance revision removes specific parking forfeiture and penalty amounts from the parking ordinance and instead establishes those amounts within the City's annual fee schedule. Under the proposed structure, the parking ordinance will continue to establish parking regulations, restrictions, and enforcement authority, while the associated forfeiture amounts will be adopted separately through the City's annual fee schedule. Any future adjustments to parking penalties would be considered by the City Council as part of the fee schedule review and adoption process, eliminating the need to amend the ordinance solely to modify penalty amounts.

This change does not alter the City's authority to regulate parking or enforce parking restrictions, nor does it change the parking regulations. It does modify the method by which forfeiture amounts are established, allowing the City Council to respond more efficiently to

changing administrative costs, compliance, and enforcement needs.
The City Attorney has reviewed this ordinance, and it has passed his legal review.

FINANCIAL ANALYSIS

There is no additional financial impact in adopting this ordinance beyond the associated costs in publishing the ordinance to the City's Code of Ordinances. If recommended by the Ordinance Committee and adopted by the City Council, the effective date would be January 1, 2027. Staff will propose a new series of fees relating to parking violations in the 2027 draft fee schedule to be reviewed by the Finance Committee at the meeting on September 10, 2026.

RECOMMENDATION

City staff recommends the Ordinance Committee review the proposed ordinance amendments and recommend the City Council approval.

ATTACHMENTS

1. DIVISION_6.___STOPPING__STANDING_AND_PARKING
2. Sec._94_45.___Penalties.

DIVISION 6. STOPPING, STANDING AND PARKING

Subdivision I. In General

Sec. 94-426. Emergency police powers.

Whenever it becomes necessary due to a temporary emergency to restrict parking on any street or portion thereof, to ensure the orderly flow of traffic, the chief of police or his/her designee shall be authorized to post such street or portions thereof with signs bearing the words "NO PARKING—EMERGENCY AREA"; and no person shall park, stop or leave standing any vehicle, whether attended or otherwise, in violation of such signs.

(Code 1969, § 20.06(C))

Sec. 94-427. Parking area for municipal vehicles.

The east four parking stalls in the city parking lot located on the north side of the municipal building shall be designated for municipally licensed vehicle parking only.

(Code 1969, § 20.06(F))

Sec. 94-428. Terrace parking prohibition.

Parking of any vehicle on the terrace of any street in the city is prohibited. The terrace is defined as that portion of street right-of-way between the edge of the roadway and the property lines.

(Code 1969, § 20.06(D))

Sec. 94-429. Handicapped parking.

No person shall park, stop or leave standing any vehicle, whether attended or unattended, upon any portion of a street or highway, or upon a parking facility, whether public or private, reserved for the use of handicapped persons as indicated by official traffic signs or distinct markers indicating the restrictions, unless such vehicle bears either special disability registration plates or a temporary disability card issued by the proper authority clearly identifying the vehicle as exempt from this section.

(Code 1969, § 20.08(H))

Sec. 94-430. Removal of illegally parked vehicle.

Any vehicle parked or left standing upon any street, highway, alley or other public ground in violation of this subdivision may be declared to be a hazard to traffic and public safety. Such vehicle shall be removed by the operator or owner, upon request of any police officer, to a position where parking or standing is not prohibited. Any police officer, after issuing a citation or parking violation notice ticket, is authorized to remove such vehicle to

a position where parking or standing is not prohibited. In addition to any other penalty provided by this subdivision, the operator or owner of a vehicle so removed shall pay the costs incurred.

(Code 1969, § 20.08(I))

Sec. 94-431. Time limitations.

No person shall park or leave standing any vehicle, whether attended or unattended, upon any street or any municipal parking lot held open to the public for a period of more than 48 consecutive hours.

(Code 1969, § 20.07(A))

Sec. 94-432. Parking restrictions.

- (a) No person shall park, stop or leave standing any unattended vehicle when any part of the vehicle is nearer than ten feet to the centerline of the roadway. However, this provision shall not apply to narrow streets where the parking is restricted to one side only.
- (b) No person shall park, stop or leave standing any vehicle, whether attended or unattended, upon any street or municipal parking lot that has stalls marked thereon in such a manner so as to partially occupy more than one parking stall. However, this provision shall not apply to vehicles that, due to their length, exceed the parking markings.
- (c) No personnel shall park, stop or leave standing any unattended vehicle on the north side of West Milwaukee Avenue, from the intersection of Lumber Street to a point 55 feet east, unless said person is a current City of Fort Atkinson Fire Department personnel.
- (d) Vehicle and trailer parking. No person shall park, stop, or leave standing more than one vehicle and trailer combination in any public parking lot or on any city street, avenue, or alley adjacent to a residential property owned or rented by the owner or renter of the vehicle and trailer combination, except construction vehicles and trailers parking on the street adjacent to the side that is current being worked at with an active building permit. The location of such on-street parking must be able to safely accommodate the specified trailer and vehicle parked without causing any safety concerns, view obstructions, or other roadway obstructions.
- (e) *Trailer parking.* The purpose of this subsection is to prevent the use of city streets, avenues, alleys or public parking lots for storage of trailers.
 - (1) It shall be unlawful for the owner or operator of a trailer to cause or permit such trailer to be parked, on any street, avenue, alley or public parking lot within the city, except construction company trailers that are parked on the street adjacent to the site that is currently being worked at, and boat trailers in the municipal lots on the west side of Mechanic Street, the east side of Mechanic Street (weekends only), and the east side of North High Street.
 - (2) Trailers shall be permitted to temporarily park on the street to load, unload, or for emergency repairs if the police department is contacted prior to parking the trailer. The trailer shall be parked adjacent to the property owned by the person making the request.
 - (3) Motorhomes shall be governed by the current 48-hour parking requirements for motor vehicles (section 94-431). The motorhome shall be parked adjacent to the property of the motorhome owner, or the property/people being visited.
 - (4) Semi-trailers parking on all streets, alleys and avenues is prohibited.
 - (5) The fine for violating this subsection shall be set by resolution and adopted by the city council. A copy of said resolution shall be on file in the office of the city clerk/treasurer.

(f) *Definitions.*

Camping trailer means a vehicle with a collapsible or folding structure designed for human habitation and towed upon a highway by a motor vehicle.

Mobile home means a vehicle designed to be towed as a single unit or in sections upon a highway by a motor vehicle and equipped and used or intended to be used, primarily for human habitation, with walls of rigid uncollapsible construction.

Motorhome means a motor vehicle designed to be operated upon a highway for use as a temporary or recreational dwelling and having the same internal characteristics and equipment as a mobile home.

Semi-trailer means a vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle, but does not include a mobile home. A vehicle used with a ready-mix motor truck to spread the load is considered a semi-trailer.

Trailer means a vehicle without motive power designed for carrying property or passengers wholly on its own structure and for being drawn by a motor vehicle, but does not include a mobile home.

(Code 1969, § 20.08; Ord. No. 569, 11-21-00; Ord. No. 577, 9-18-02; Ord. No. 586, 12-4-01; Ord. No. 593, 8-6-02; Ord. No. 628, 3-15-05; Ord. No. 687, 9-15-09; Ord. No. 747, 3-15-16; Ord. No. 772, 11-8-18; Ord. No. 834, § 1, 10-17-23)

Sec. 94-433. Compact cars only.

Compact cars, as defined, means a vehicle with a wheelbase less than 105 inches and a height less than 61 inches. Only compact vehicles may park in the following areas:

East Sherman Avenue.

From its intersection with Edward Street at the northwest and southwest corners, for the first parking stalls in each of those locations.

At the northwest and southwest corners on East Sherman Avenue at Edward Street, parking stalls be restricted to compact cars only for the first parking stalls in each of those locations.

West Milwaukee Avenue.

From its intersection with Grant Street at the northwest, northeast and southeast corners for the first parking stalls in each of those locations.

West Milwaukee Avenue and Grant Street.

At the northwest, northeast, and southeast corners of the intersection of West Milwaukee Avenue and Grant Street, parking stall be restricted to compact cars only for the first parking stalls in each of those locations.

West Sherman Avenue.

On the south side at its intersection with Mechanic Street, for the first parking stall east of this location.

(Ord. No. 687, 9-15-09; Ord. No. 765, 7-17-18)

Sec. 94-434. Reserved.

Ord. No. 832, § 1, adopted Oct. 17, 2023, repealed § 94-434 entitled "Taxicab parking," which derived from Ord. No. 778, adopted May 7, 2019.

Secs. 94-435—94-455. Reserved.

Subdivision II. Parking Prohibited

Sec. 94-456. On through highway or in central business district; exceptions.

- (a) No person shall park, stop or leave standing any unattended vehicle on any through highway between the hours of 2:00 a.m. and 6:00 a.m., or in that portion of the central business district bounded by Madison Avenue/North Third Street, Edward Street/Merchant Street, South Third Street and Grant Street/Mechanic Street between the hours of 2:00 a.m. and 5:00 a.m., except where otherwise posted.
- (b) This section shall not apply to the following streets or portions of streets, which have been declared through streets by section 94-356:

Adams Street, from its intersection with Sherman Avenue to its intersection with Madison Avenue.

Cramer Street, from its intersection with North Main Street to its intersection with Banker Road.

East Street, from its intersection with Bark River Drive to its intersection with South Fourth Street.

Endl Boulevard, from its intersection with Hilltop Trail to its intersection with Highland Avenue.

Grove Street, from its intersection with Park Street to its intersection with South Fourth Street.

Highland Avenue, from its intersection with Janesville Avenue to its intersection with Maple Street.

Hilltop Trail, from its intersection with Whitewater Avenue to its intersection with Klement Street.

Jefferson Street, from its intersection with Blackhawk Drive to its intersection with North Fourth Street.

Milwaukee Avenue, from its intersection with Purdy Street to the east city limits.

Monroe Street, from its intersection with Madison Avenue to its intersection with Cramer Street.

North Fourth Street, from its intersection with North Main Street to its intersection with Memorial Drive.

Park Street, from its intersection with South Main Street to its intersection with Janesville Avenue.

Roosevelt Street, from its intersection with Madison Avenue to its intersection with Sherman Avenue.

Sherman Avenue West, from its intersection with Robert Street to its intersection with Wilson Street.

Talcott Street, from its intersection with South Main Street to its intersection with Hilltop Trail.

Van Buren Street, from its intersection with Robert Street to its intersection with Wilson Street.

(Code 1969, § 20.08(C); Ord. No. 579, 9-18-01)

Sec. 94-457. No parking areas.

No person shall park, stop or leave standing any vehicle, whether attended or unattended, except temporarily for the purpose of and while actually engaged in the receiving or discharging of passengers, and such vehicle must be attended by a licensed driver so that it may be moved promptly in case of an emergency or to avoid obstruction of traffic, upon any of the following streets or portions thereof:

Seventh Street.

The north and south sides of the street, between Janesville Avenue and the C & NW RR tracks.

Allen Drive.

From its intersection with Commerce Parkway to its eastern terminus.

Banker Road.

The west side of the street, from its intersection with Madison Avenue to the north city limits.

Bark River Drive.

The north side of the street, from Whitewater Avenue to East Street.

Barrie Street.

The north side of the street, from Lincoln Street to a point 18 feet east.

Blackhawk Drive.

The west side of the street, northerly 100 feet from Old Madison Road.

The north and south sides of the street, from North Main Street to Jefferson Street.

Bluff Street.

The east and west sides of the street, northerly 75 feet from South Fourth Street.

Butler Drive.

The south side of Butler Drive, from its intersection with Industrial Drive to its western terminus.

The north side of Butler Drive, from its intersection with Industrial Drive to a point 285 feet west, and from a point 710 feet west of the intersection with Industrial Drive to its western terminus.

Campus Drive.

The north and south sides of the street from Banker Road to Lexington Boulevard.

Clarence Street.

The east side of the street, from its intersection with Lorman Street to a point 30 feet south.

The west side of the street, from its intersection with Lorman Street to a point 120 feet south.

Commerce Parkway.

From its intersection with Janesville Avenue to its eastern terminus.

East Sherman Avenue.

Both sides of the street from Edward Street east to the city limits.

The north side of the street from its intersection with North Main Street to a point 130 feet east.

The south side of the street from its intersection with North Main Street to a point 40 feet east.

Farmco Lane.

Both sides of the street.

Grant Street.

The east side of the street, from Milwaukee Avenue to the alley entrance of the Methodist Church property, except the loading zone area from 119 feet to 144 feet south of Milwaukee Avenue.

The west side of the street, two car stalls mid-block between Milwaukee Avenue and South Third Street.

The west side of the street, from its intersection with West Milwaukee Avenue north to the end.

Grove Street.

The east side of the street, southerly 100 feet from South Third Street.

The east and west sides of the street, southerly 50 feet from Rockwell Avenue.

The west side of the street, from the intersection of South Third Street to the south property line of Hardee's Restaurant.

Harrison Street.

The south side of the street, from Adams Street to North Main Street.

The north side of the street, from North Main Street to Edward Street.

Highland Avenue.

The north and south sides of the street, from Janesville Avenue west to its terminus on Monday through Friday from 6:00 a.m. to 6:00 p.m.

Industrial Drive.

From Rockwell Avenue to Klement Street.

James Place.

The north side of the street from Talcott Avenue to Janesville Avenue, except for four parking stalls in front of the park and recreation shop.

The south side of the street from Talcott Avenue westerly to Janesville Avenue.

Janesville Avenue.

From South Third Street to the south city limits.

Jones Avenue.

The east and west sides of the street, northerly 125 feet from Eighth Street.

Klement Street.

The north and south sides of the street, from Janesville Avenue westerly to the dead end.

Lexington Boulevard.

The east and west sides of the street from Campus Drive to Madison Avenue.

The east side of the street from its intersection with Madison Avenue to a point 150 feet south.

The west side of the street from its intersection with Madison Avenue to a point 75 feet south.

Linden Street.

The south side of the street, from Adams Street to North Main Street.

The north side of the street, from North Main Street to a point 25 feet west.

Lorman Street.

The south side of the street from its intersection with Clarence Street to a point 60 feet east.

Madison Avenue.

The north and south sides of the street from North Main Street to the west city limits.

Main Street.

The west side of the street, northerly 100 feet from Madison Avenue.

The east side of the street, northerly 300 feet from North Third Street.

The west side of the street, southerly 50 feet from Park Street.

The east side of Main Street, northerly 57 feet from East Sherman Avenue.

The east and west side of North Main Street from the intersection of North Fourth Street north to the north city limits.

The east side of North Main Street from the intersection of North Third Street to a point 188 feet south.

The west side of North Main Street from the intersection of Madison Avenue to a point 207 feet south.

The east side of South Main Street from the intersection of South Third Street to a point 333 feet south.

The west side of South Main Street from the intersection of South Third Street to a point 288 feet south, and from a point 330 feet south to a point 416 feet south.

The west side of North Main Street, northerly 57 feet from West Sherman Avenue.

The east side of North Main Street, southerly 60 feet from East Sherman Avenue.

The west side of North Main Street, southerly 15 feet from West Sherman Avenue.

The east side of North Main Street, northerly 16 feet from North Water Street East.

The west side of the North Main Street, northerly 55 feet from North Water Street West.

The east side of North Main Street, southerly 110 feet from North Water Street East.

The west side of North Main Street, southerly 155 feet from North Water Street West.

The east side of South Main Street, northerly 175 feet from South Water Street East.

The west side of South Main Street, northerly 100 feet from South Water Street West.

The east side of South Main Street, southerly 24 feet from South Water Street East.

The west side of South Main Street, southerly 20 feet from South Water Street West.

The east side of South Main Street, northerly 32 feet from East Milwaukee Avenue.

The west side of South Main Street, northerly 30 feet from West Milwaukee Avenue.

The east side of South Main Street, southerly 56 feet from East Milwaukee Avenue.

The west side of South Main Street, southerly 20 feet from West Milwaukee Avenue.

The east side of South Main Street, northerly 66 feet from South Third Street East.

The west side of South Main Street, northerly 48 feet from South Third Street West.

McKee Court.

The south side of the street, from its intersection with Whitewater Avenue to a point 230 feet east.

McPherson Street.

The west side of the street, east from the intersection with East Milwaukee Avenue to its intersection with South Water Street.

Mehta Lane.

The north and south sides of the street, from its intersection with Reena Avenue to its western terminus.

Merchants Avenue.

The east side of the street, from 112 feet to 135 feet south of East Milwaukee Avenue.

Mielke Drive.

From its intersection with Commerce Parkway to its southern terminus.

Milwaukee Avenue.

The south side of the street, from Walton Street to Robert Street.

The south side of the street, opposite of the fire department entrances.

The south side of the street, westerly 53 feet from Grant Street.

The south side of the street, from Bluff Street to McPherson Street.

The south side of the street, on West Milwaukee Avenue, from the alley to a point 13 feet east on the alley, on the 00.00 block.

The north side of the street, westerly 41 feet from Grant Street.

Monroe Street.

The east and west sides of the street, 20 feet north of the intersection of Cramer Street.

The east side of the street, from the Hillcrest Drive intersection, south 23 feet.

Nelson Street.

The east side of the street, from Madison Avenue to Caswell Street.

The east side of the street, from Messmer Street to Frederick Avenue.

The west side of the street, from Madison Avenue to a point 55 feet north.

North Third Street.

The south side of the street, from North Main Street to North High Street.

The north side of the street, from North Main Street to North High Street.

North High Street.

Both sides of the street from North Third Street, north to the city limits.

Purdy Street.

Both sides of the street from its intersection with South Water Street East, north to the Rock River.

Riverside Drive.

Both sides of the street from Sherman Avenue to Robert Street.

Robert Street.

The west side of the street, from Madison Avenue northerly to West Cramer Street.

The east side of the street, northerly 175 feet from Madison Avenue.

The east side of the street, southerly 170 feet from Madison Avenue.

The west side of the street, southerly 200 feet from Madison Avenue.

The east and west sides of the street, from Van Buren Street to South Third Street.

Rockwell Avenue.

In the median from its intersection with South Main Street to its intersection with Grove Street.

South Third Street.

The north side of the street, from Robert Street to a point 51 feet east of Grant Street.

The south side of the street, from Janesville Avenue to a point 137 feet east of South Main Street.

The north side, from a point 38 feet west of South Main Street to a point 69 feet east of South Main Street and the area from 91 feet east to 226 feet east of South Main Street.

South Fourth Street.

The north side of the street, from South Main Street to South High Street.

South Sixth Street.

The south side of the street, from Janesville Avenue to Milo Street.

South Water Street.

The south side of the street, from a point 140 feet west of Purdy Street to McPherson Street.

The north side of the street from its intersection with South Main Street to a point 161 feet east.

The south side of the street from the intersection with Grant Street to a point 31 feet west.

Washington Street.

The east side of the street, from a point 85 feet north to a point 115 feet north of its intersection with Madison Avenue.

West Cramer Street.

The north and south sides of the street, east from the intersection of Monroe Street 100 feet.

The north side of the street, west from the intersection of Monroe Street 130 feet.

West Hilltop Trail.

The north side of the street, from its intersection with Janesville Avenue to a point 200 feet east.

The south side of the street, from its intersection with Janesville Avenue to a point 118 feet east.

West Rockwell Avenue.

The south side of the street, from a point which is 138 feet west of Erick Street, west for a distance of 30 feet.

Whitewater Avenue.

Both sides of the street, from the south curb line of McComb Street to a point 205 feet south.

The west side of the street, from South Main Street to South Fourth Street.

Zida Street.

The west side of the street, from East Milwaukee Avenue to a point 35 feet south.

The east side of the street, from East Milwaukee Avenue to a point 156 feet south.

(Code 1969, § 20.06(A); Ord. No. 485, 9-17-96; Ord. No. 494, 12-3-96; Ord. No. 504, 5-6-97; Ord. No. 507, 9-2-97; Ord. No. 510, 11-4-97; Ord. No. 511, 11-18-97; Ord. No. 518, 3-3-98; Ord. No. 531, 8-4-98; Ord. No. 543, 4-20-99; Ord. No. 548, 8-17-99; Ord. No. 550, 9-7-99; Ord. No. 552, 10-5-99; Ord. No. 555, 12-21-99; Ord. No. 568, 11-21-00; Ord. No. 572, 11-21-00; Ord. No. 578, 9-18-01; Ord. No. 582A, 10-16-01; Ord. No. 588, 3-19-02; Ord. No. 594, 8-6-02; Ord. No. 595, 8-6-02; Ord. No. 599, 2-4-03; Ord. No. 614, 5-4-04; Ord. No. 628, 3-15-05; Ord. No. 634, 3-21-06; Ord. No. 655, 11-6-07; Ord. No. 668, 12-2-08; Ord. No. 686, 9-1-09; Ord. No. 687, 9-15-09; Ord. No. 691, 10-6-09; Ord. No. 739, 1-5-16; Ord. No. 740, 2-2-16; Ord. No. 764, 4-17-18; Ord. No. 765, 7-17-18; Ord. No. 772, 11-8-18; Ord. No. 777, 5-7-19; Ord. No. 788, 5-5-20)

Sec. 94-458. Parking on medians.

No person shall park or leave standing any vehicle, whether attended or unattended, on the following medians:

Adrian Boulevard.

Blackhawk Drive.

Endl Boulevard.

Grove Street.

Memorial Drive.

(Ord. No. 651, 5-15-07)

Secs. 94-459—94-480. Reserved.

Subdivision III. School Parking Regulations

Sec. 94-481. Prohibitions.

- (a) No person shall park or leave standing any vehicle, whether attended or unattended, on the near side of the following streets or portions thereof during the hours of 7:30 a.m. to 4:30 p.m. on school days:

Bluff Street.

The east side of the street, from the south St. Paul's School property line to the south right-of-way line of South Third Street to be designated as "SCHOOL BUS ONLY."

Cramer Street.

The south side of the street, adjacent to Rockwell School, except the area from Monroe Street to 140 feet to the west, to allow for picking up and dropping off of students.

Elsie Street.

The south side of the street, adjacent to Barrie School.

The north side of the street from a point 87 feet west to a point 149 feet west of Roosevelt Street.

Grove Street.

The east side of the street, adjacent to Luther Elementary, to allow for picking up and dropping off of students.

Harriette Street.

The north side of the street, from Roosevelt Street to Shirley Street, to allow for the picking up and dropping off of students.

Monroe Street.

The west side of the street, adjacent to Rockwell School.

The east side of the street, from Hillcrest Drive intersection, north 23 feet.

Park Street.

The south side of the street adjacent to J.F. Luther School from Grove Street to the sign for the outdoor science lab to allow for picking up and dropping off of students.

Roosevelt Street.

The west side of the street, adjacent to Barrie School.

South Fourth Street.

The south side of the street, adjacent to the middle school property.

South High Street.

The east side of the street adjacent to the middle high school property, to be designated as "SCHOOL BUS ONLY."

South Main Street.

The east side of the street, from the south Purdy School property line to the south right-of-way line of South Street.

The west side of the street, from the north right-of-way line of Park Street to the north right-of-way line of South Street.

- (b) No person shall park or leave standing any vehicle upon the following described streets or portions thereof during the period of time of a school activity:

Craig Street.

The north side of the street, from its intersection with East Street to its intersection with South High Street.

South Main Street.

The west side of the street, from its intersection with Park Street to its intersection with Rockwell Avenue.

-
- (c) No persons shall park or leave standing any vehicle, whether attended or unattended, on the following streets or portions thereof during the hours of 7:30 a.m. to 8:30 a.m., and 2:30 p.m. to 3:30 p.m. on school days:

Hillcrest Drive.

The south side of the street, from Monroe Street to Robert Street.

Park Street.

On the north side of the street, from its intersection with South Main Street, to a point 95 feet west.

Roosevelt Street.

The east side of the street, 40 feet north of Harriette Street and 40 feet north and south of Charles Street.

(Code 1969, §§ 20.06(B), 20.08(F); Ord. No. 519, 3-3-98; Ord. No. 530, 8-4-98; Ord. No. 567, 11-21-00; Ord. No. 584, 12-4-01; Ord. No. 585, 12-4-01; Ord. No. 628, 3-15-05; Ord. No. 638, 7-18-06; Ord. No. 649, 5-15-07; Ord. No. 681, 9-1-09; Ord. No. 682, 9-1-09; Ord. No. 683, 9-1-09; Ord. No. 684, 9-1-09; Ord. No. 690, 10-6-09)

Secs. 94-482—94-500. Reserved.

Subdivision IV. Winter-Time Parking

Sec. 94-501. General prohibitions.

- (a) No owner or operator of any vehicle shall park upon any public street or alley at any time during a snow emergency. Any time two inches or greater of snow is anticipated during any 24-hour period, a snow emergency shall go into effect. The director of public works or is/her designee may also declare a snow emergency by providing notice to the public via the newspaper and/or radio and/or cable television. All vehicles must be removed from public streets and alleys from the starting time of the snow emergency until the streets or alleys have been cleared curb-to-curb or edge-to-edge of pavement during a snow emergency. For the purpose of this subsection, a vehicle shall be defined as every device in, upon or by which any person or property is or may be transported or drawn upon a roadway or highway. If any vehicle shall be parked in violation of this subsection, the police department shall ticket the vehicle and may order it towed from the street at the owner's risk after the vehicle has been ticketed; and the towing charge shall be paid by the owner or operator of the vehicle. ~~The fine for violating this subsection shall be \$25.00, plus towing charge for each occurrence.~~
- (b) In addition to the provisions of subsection (a), no owner or operator shall park any vehicle in any street or alley when signs have been posted indicating that snow is being or is about to be removed from such street or alley. If any vehicle shall be parked in violation of this section, the police department shall ticket said vehicle and may order it from the street at the owner's risk after the vehicle has been ticketed, and the towing charge shall be paid by the owner or operator of said vehicle. ~~The fine for violating this subsection shall be \$25.00, plus towing charge for each occurrence.~~
- (c) On all other streets not designated as through street in section 94-356, and those streets or portions thereof to which subsection 94-456(b) is not applicable by exemption, no person shall park or leave standing any unattended vehicle between the hours of 2:00 a.m. and 6:00 a.m. from December 1 to March 15, unless such vehicle is parked on the even-numbered side of the street on days bearing an even-numbered calendar date, and on the odd-numbered side of the street on days bearing an odd-numbered calendar date. "Numbered side of the street" refers to the address of a given residence. For purposes of this subsection, the calendar

date is to start at 12:01 a.m. If any vehicle shall be parked in violation of this subsection, the police department shall ticket the vehicle and may order it towed from the street at the owner's risk after the vehicle has been ticketed, and the towing charge shall be paid by the owner or operator of the vehicle. ~~The fine for violating this section shall be \$15.00, plus towing charge for each occurrence.~~

(Code 1969, § 20.08(D)(1), (2); Ord. No. 534, 10-20-98; Ord. No. 551, 10-5-99; Ord. No. 709, 3-6-12)

Sec. 94-502. Parking in public parking lots.

- (a) It is the declared policy of the department of public works to clear the public parking lots within the city by 12:00 noon on the day following the removal of snow from the adjoining streets or alleys. To allow for the snow removal in public parking lots, the following parking lot rules will be in force between the hours of 2:00 a.m. and 6:00 a.m. every day between November 1 and March 31:
 - (1) Vehicles will park on the designated half of the lot (i.e.; east-west or north-south) that corresponds to the even or odd-numbered calendar days as indicated on the signs located in each lot. For the purposes of this subsection, the calendar date is to start at 12:01 a.m.
 - (2) Public parking lots 2, 5, 7, 9 and 10, will be designated to be east-side parking on the even-numbered days and the west-side parking on odd-numbered days.
 - (3) Public parking lots 1, 4 and 8, will be designated to be north-side parking on even-numbered days and south-side parking on odd-numbered days.
 - (4) In lot 3, the lot will be completely closed to vehicle parking during a snow emergency until the snow has been removed.
- (b) If any vehicle shall be parked in violation of this subsection, the police department shall ticket the vehicle and may order it towed from the public parking lot at the owner's risk.
- (c) The fine for violating this subsection ~~shall be \$15.00~~, plus towing charge for each occurrence to be paid by the owner or operator of the vehicle prior to the return of the vehicle to the owner or operator.

(Code 1969, § 20.08(D)(3); Ord. No. 628, 3-15-05; Ord. No. 709, 3-6-12)

Sec. 94-503. Specific limitations.

No person shall park any vehicle upon the following described streets or portions thereof between December 1 and March 15:

James Place.

The north side of the street from a point 43 feet east of Janesville Avenue to a point 158 feet east.

Rockwell Avenue.

On both sides of the street, from its intersection with Janesville Avenue to its intersection with South Main Street.

(Ord. No. 490, 11-5-96; Ord. No. 685, 9-1-09; Ord. No. 686, 9-1-09; Ord. No. 810, § 1, 1-4-22)

Secs. 94-504—94-525. Reserved.

Subdivision V. Two-Hour Limit

Sec. 94-526. Specific limitations.

- (a) No person shall park, stop or leave standing any vehicle, whether attended or unattended, for more than two hours, between the hours of 9:00 a.m. and 5:00 p.m. on weekdays, on the following streets or portions thereof:

Armenia Street.

From its intersection with Sherman Avenue to its intersection with North Fourth Street.

Barrie Street.

From its intersection with the alley, east to the Sentry Parking Lot (200 block), on both sides of the street.

East Milwaukee Avenue/South Third Street East — City parking lot 5 (east of South Main Street and west of post office).

The west side of the lot from a point 115 feet south of East Milwaukee Avenue to a point 175 feet south of East Milwaukee Avenue.

Edward Street.

From its intersection with North Water Street to its intersection with Sherman Avenue, on the west side of the street.

Grant Street.

The west side of the street between South Third Street and West Milwaukee Avenue except the area from 142 feet to 180 feet north of South Third Street.

The east side of the street, between West Milwaukee Avenue and South Water Street West, except the north 37 feet.

The east side of the street from South Water Street West, going north to the end.

The west side of the street from its intersection with South Third Street to a point 100 feet south.

Main Street.

North Main Street—East side:

From 188 feet south of North Third Street to 57 feet north of East Sherman Avenue.

From 80 feet south of East Sherman Avenue to 16 feet north of North Water Street East.

From 110 feet south of North Water Street East to 175 feet north of South Water Street East.

North Main Street—West side:

From 207 feet south of Madison Avenue to 57 feet north of West Sherman Avenue.

From 15 feet south of West Sherman Avenue to 55 feet north of North Water Street West.

From 155 feet south of North Water Street West to 100 feet north of South Water Street West.

South Main Street—East side:

From 24 feet south of South Water Street East to 32 feet north of East Milwaukee Avenue.

From 56 feet south of East Milwaukee Avenue to 66 feet north of South Third Street East.

South Main Street—West side:

From 20 feet south of South Water Street West to 30 feet north of West Milwaukee Avenue.

From 20 feet south of West Milwaukee Avenue to 48 feet north of South Third Street West.

From a point 288 feet south to a point 330 feet south of South Third Street West.

Mechanic Street.

The east side of the street from West Sherman Avenue to a point 80 feet south.

Merchants Avenue.

From its intersection with South Third Street to its intersection with Milwaukee Avenue, except the area on the east side from 89 feet to 135 feet south of Milwaukee Avenue.

McMillen Street.

The east side of the street, from its intersection with Sherman Avenue to its intersection with North Fourth Street.

Milwaukee Avenue.

From its intersection with Grant Street to its intersection with Foster Street, except for the area on the south side from 221 feet to 246 feet west of South Main Street, from 45 feet to 77 feet west of South Main Street, and from Merchants Avenue to its intersection with South Main Street alley (post office area), and the north side from Grant Street to a point 52 feet east.

North Third Street.

From its intersection with Armenia Street to its intersection with Wilcox Street.

North Fourth Street.

From its intersection with Wilcox Street to its intersection with McMillen Street, on both sides of the street.

North Water Street, West.

North side of the street 60 feet west of its intersection with North Main Street to a point 260 feet west.

South side of the street from its intersection with North Main Street to a point 218 feet west.

Purdy Street.

From its intersection with Milwaukee Avenue to South Water Street East.

Sherman Avenue.

The north side of the street from a point 130 feet east of Mechanic Street west to the bike trail.

The south side from a point 225 feet west of the intersection with North Main Street west to the bike trail.

Both sides of the street from its intersection with North Main Street east to Edward Street.

South Third Street.

The north side of the street from 51 feet east of Grant Street to 38 feet west of South Main Street.

The north side of the street from 69 feet east to 91 feet east of South Main Street and from the intersection with Merchants Avenue to a point 63 feet west.

The south side of the street from the intersection with Merchants Avenue to a point 153 feet west.

South Water Street and South Water Street West.

The north side from a point 161 feet east of South Main Street to a point 167 feet west of Purdy Street, and from Purdy Street to a point 164 feet east.

The north side of South Water Street from South Main Street to Grant Street.

The south side of the street, from 79 feet to 168 feet west of the intersection with Grant Street.

The south side of the street from Grant Street to a point 115 feet west of South Main Street, and from South Main Street to a point 111 feet east.

- (b) No person shall park, stop or leave standing any vehicle, whether attended or unattended, for more than two hours, between the hours of 9:00 a.m. and 8:00 p.m. on Sundays through Saturdays, on the following streets or portions thereof:

Sherman Avenue.

The north side of the street from a point 45 feet west of North Main Street to a point 130 feet east of Mechanic Street.

- (c) *On school days.* No person shall park, stop or leave standing any vehicle, whether attended or unattended, for a period of more than two consecutive hours between the hours of 9:00 a.m. and 5:00 p.m. on school days.

South High Street.

The east side of the street, from its intersection with Craig Street northerly to the Middle School property.

The west side of the street, from its intersection with Elm Street to its intersection with South Fourth Street.

(Code 1969, § 20.07(B), (H); Ord. No. 628, 3-15-05; Ord. No. 648, 5-17-07; Ord. No. 655, 11-6-07; Ord. No. 657, 12-18-07; Ord. No. 658, 12-18-07; Ord. No. 659, 1-15-08; Ord. No. 688, 10-6-09; Ord. No. 691, 10-6-09; Ord. No. 765, 7-17-18; Ord. No. 777, 5-7-19; Ord. No. 782, 8-6-19; Ord. No. 783, 8-6-19; Ord. No. 784, 9-17-19)

Secs. 94-527—94-550. Reserved.

Subdivision VI. Reserved

Sec. 94-551. Reserved.

Editor's note(s)—Ord. No. 628, adopted Mar. 15, 2005, deleted § 94-551, which pertained to specific limitations for 90-minute parking and derived from Code 1969, § 20.07(D); Ord. No. 549, adopted Aug. 17, 1999; Ord. No. 571, adopted Nov. 21, 2000; Ord. No. 578, adopted Sept. 9, 2001; and Ord. No. 587, adopted Feb. 5, 2002.

Secs. 94-552—94-570. Reserved.

Subdivision VII. Thirty-Minute Limits

Sec. 94-571. Specific limitations.

No person shall park, stop or leave standing any vehicle, whether attended or unattended, for a period of more than 30 minutes between the hours of 8:00 a.m. and 6:00 p.m., excluding Sundays and major holidays, upon the following streets or portions thereof:

Grant Street.

The east side of the street from South Water Street West to a point 37 feet south.

Milwaukee Avenue.

The south side of the street only, from its intersection with Merchants Avenue to its intersection with South Main Street alley (post office property).

The north side of the street, from Grant Street to a point 52 feet east.

North Main Street.

On the east side of the street, from a point 60 feet south to a point 80 feet south of East Sherman Avenue.

North Water Street West.

For a distance of 110 feet easterly from its intersection with Mechanic Street; and such parking shall be for the purpose of conducting official business with the water department.

South Water Street West.

The south side of the street from a point 56 feet to a point 79 feet west of its intersection with Grant Street; and such parking shall be for the purpose of conducting official business with the police department.

The south side of the street from South Main Street to a point 115 feet west.

(Code 1969, § 20.07(F), (G); Ord. No. 570, 11-21-00; Ord. No. 628, 3-15-05; Ord. No. 689, 10-6-09)

Secs. 94-572—94-580. Reserved.**Subdivision VIII. Five-Minute Limits****Sec. 94-581. Specific limitations.**

No person shall park, stop or leave standing any vehicle, whether attended or unattended for more than five minutes between the hours of 9:00 a.m. and 5:00 p.m., excluding Sundays and major holidays, on the following named streets or portions thereof:

Merchants Avenue.

On the east side of the street, in front of the Dwight Foster Public Library (200 block); the area from 89 feet to 112 feet south of East Milwaukee Avenue.

(Ord. No. 605, 6-17-03; Ord. No. 628, 3-15-05)

Secs. 94-582—94-590. Reserved.

Subdivision IX. Parking Heavy Vehicles

Sec. 94-591. Specific limitations.

- (a) No person shall park, stop or leave standing any heavy traffic vehicle, whether attended or unattended, for more than one hour on any street in any residential zone as designated by the zoning ordinance except for the purpose of and while actually engaged in the taking on or discharging all or part of a load.
- (b) No person shall park, stop or leave standing any vehicle in excess of a gross weight of 8,000 pounds, whether attended or unattended, upon any portion of the South Main Street parking lot.
- (c) No person shall park, stop or leave standing any vehicle in excess of a gross weight of 8,000 pounds and a width in excess of 84 inches, whether attended or unattended, on any portion of Main Street between Madison Avenue/North Third Street and South Third Street.

(Code 1969, §§ 20.07(C), 20.08(J), (K))

Sec. 94-592. Schedule of fines for Parking Violations.

The fine for each parking violation described anywhere in this Code shall be set by resolution and adopted by the city council. A copy of said resolution shall be on file in the office of the city clerk/treasurer.

Secs. 94-593—94-610. Reserved.

DIVISION 7. LOADING ZONES

Sec. 94-611. Specific limitations.

No person shall stop or leave any vehicle standing, whether attended or unattended, except temporarily for the purpose of and while engaged in loading or unloading or in receiving or discharging passengers, on the following streets or portions thereof:

Grant Street.

The east side of the street, from 119 feet to 144 feet south of West Milwaukee Avenue.

Lincoln Street.

The east side of the street, from Barrie Street to a point 60 feet north.

South Water Street, East.

The north side of the street, from a point 296 feet east of Purdy Street to a point 316 feet east of Purdy Street.

West Milwaukee Avenue.

The south side of the street, from South Main Street to a point 77 feet west of South Main Street.

West Milwaukee Avenue.

The south side of the street, from 221 feet to 246 feet west of South Main Street.

(Code 1969, § 20.06(E); Ord. No. 549, 8-17-99; Ord. No. 561, 5-16-00; Ord. No. 650, 5-15-07; Ord. No. 716, 9-3-13)

Sec. 94-612. Schedule of fines for Parking Violations.

The fine for each parking violation described anywhere in this Code shall be set by resolution and adopted by the city council. A copy of said resolution shall be on file in the office of the city clerk/treasurer.

Secs. 94-613—94-635. Reserved.

Sec. 94-45. Penalties.

- (a) *Forfeiture penalty.* The penalty for a violation of this chapter shall be a forfeiture of not less than \$5.00, nor more than \$300.00, together with the costs of prosecution and the penalty assessments imposed by Wis. Stats. §§ 165.87 and 346.655 where applicable. Payment of the judgment may be deferred by the judge for a period of not more than 60 days.
- (1) Any person who shall fail to pay the amount of forfeiture, costs of prosecution and penalty assessments imposed for violation of any nontraffic provision of this chapter may, upon order of the court entering judgment therefor and having jurisdiction of the case, be imprisoned until such forfeiture, penalty assessment and costs are paid; but such period of imprisonment shall not exceed 90 days; or
 - (2) Any person who shall fail to pay the amount of the forfeiture, costs of prosecution and penalty assessments imposed for the violation of any traffic regulation provision of this chapter may, upon order of the court entering judgment therefor and having jurisdiction of the case, be subject to any and all additional penalties as contained in Wis. Stats. ch. 800.
 - (3) Forfeitures for violations of any traffic regulations set forth in the state statutes adopted by reference in sections 94-1, 94-2, 94-331, 94-332, 94-356, 94-381 and 94-401 shall conform to the forfeiture penalty permitted to be imposed for violations of comparable state statutes, including any variations or increases for subsequent offenses; however, this subsection shall not permit prosecution for any offense for which a term of imprisonment or fine may be imposed.
- (b) *Other sanctions.* Nothing in this section shall preclude or affect the power of the court to exercise additional authority granted by state statute to suspend or revoke the operating privileges of the defendant, order the defendant to submit to assessment, or order compliance with the recommended driver safety plan or to order attendance of a traffic safety school in addition to or in lieu of other penalties imposed.
- (1) The penalty for a violation of sections 94-426—94-432 ~~shall be a forfeiture of \$10.00 for parking over an allotted time; \$25.00 for parking in the area of a fire hydrant; \$50.00 for parking in a handicapped stall without the proper permit; \$15.00 for traffic violation; \$20.00 for parking in a school zone; \$10.00 for alternate side parking; \$25.00 for parking during a snow emergency; and \$15.00 for other violations not specified. shall be set by resolution and adopted by the city council. A copy of said resolution shall be on file in the office of the city clerk/treasurer.~~
 - (2) Any person charged with a nonmoving violation who fails to make payment under subsection (1) of this section within 30 days may be issued a citation as specified under subsection (a)(2) of this section for appearance in municipal court of the city, in which case provisions of Wis. Stats. §§ 345.34—345.47 may apply.
 - (3) If a person does not make payment under subsection (1) of this section within 30 days of the date of issuance, the amount of forfeiture specified on the parking ticket shall double, and the provisions of Wis. Stats. § 345.28, providing for the suspension and refusal of vehicle registration, shall apply.
 - (4) When any vehicle is found upon a street, highway, alley or other public ground in violation of any provision of this chapter regulating the stopping, parking or standing of vehicles, the owner as shown by the ownership registration information supplied by the state department of transportation, or a comparable authority of any other state, shall be subject to the penalties as provided in this chapter.

(Code 1969, § 20.14(C); Ord. No. 501, 3-4-97; Ord. No. 709, 3-6-12)