

## PARKING ORDINANCE

The Town Board for the Township of Phelps, Vilas County, Wisconsin, does hereby ordain as follows:

### **Section 1. Purpose.**

This Ordinance is ordained for the purpose of regulating parking throughout the Town of Phelps. This includes areas designated as "no parking", "no overnight parking", "2-hour parking", providing for the free and unobstructed passage of vehicular traffic on streets and highways, and in general, for the public health and safety for the users of such streets/highways.

### **Section 2. Authority**

The Town Board of the Town of Phelps has the specific statutory authority and power, pursuant to Sections 349.06 and 349.13, Wisconsin Statutes, to regulate, control prevent and enforce the stopping, standing or parking of motor vehicles on highways, roads, streets and alleys within the jurisdiction of the Town of Phelps.

### **Section 3. Definitions.**

- A. The term "vehicle(s)" shall mean every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, including, but not limited to, cars, trucks, tractor trucks, tractor trailers, snowmobiles, golf carts and all-terrain vehicles.
- B. The term "trailer" shall mean 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.

### **Section 4. No Parking.**

The Town Board of the Town of Phelps shall, in the interest of public health and safety, designate such highways, roads, streets and alleys, or any portion thereof as "no parking" areas. The Town Crew Foreman shall cause to be placed at the terminus of each of the no parking zone a sign advising of the no parking restriction.

### **Section 5. No Overnight Parking.**

All roads within the Town of Phelps are hereby established as "No Overnight Parking" zones. The hours of restriction shall be:

- A. From 10:00 p.m. until 6:00 a.m. during the months of May through September of each year;
- B. From 7:00 p.m. until 7:00 a.m. during the months of October through April of each year.

### **Section 6. 2 Hour Parking.**

All roads within the designated "downtown district" are hereby established as "2 Hour Parking" zones, unless otherwise marked as a "no parking" area. The Town Crew Foreman shall cause to be placed proper signage to designate these areas as "2 Hour Parking" zones.

### **Section 7. Enforcement.**

This ordinance may be enforced by the Town Board, Town Constable, and Town Crew Foreman for the Town of Phelps or any law enforcement officer authorized to enforce the laws of the State of Wisconsin and the regulations and ordinances of the Town of Phelps, Vilas County. A copy of this ordinance shall be sent by the town clerk to all Law Enforcement Agencies affected.

### **Section 8. Penalty.**

Any person violating this Ordinance shall be required to forfeit not less than Twenty Dollars (\$20.00) nor more than Forty Dollars (\$40.00) for the first offense, and no less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00) for the second or subsequent conviction within one (1) year. In addition, under the provisions of Section 349.13 (3m)(3), Wisconsin Statute, any motor vehicle found in violation of this Ordinance may be removed and any charges for removal or towing of such motor vehicle, as well as storage thereon, shall be paid by the owner or operator of such motor vehicle. Prior to release of the motor vehicle back to the owner or operator thereof, all

towing, removing and storage charges shall be paid to the towing and/or storage company, or as the case may be, the Town of Phelps. No motor vehicles shall be released without the payment of these charges

**Section 9. Severability.**

- If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are severable.
- The provisions of this ordinance shall be deemed severable and it is expressly declared that the County/Town would have passed the other provisions of whether or not one or more provisions may be declared invalid.
- This ordinance will be reviewed as deemed necessary.
- This ordinance can be modified and/or repealed at any time should just cause be found for excessive violation and issues of harm and safety to the public or the environment.

**Section 10. Effective Date.**

Following passage by majority vote of the Phelps Town Board, this ordinance shall take effect the day after the date of publication or posting as provided by sec. 60.80, Wis. Stats.

Adopted this 28<sup>th</sup> day of February, 2018



Steve Doyen, Chairman



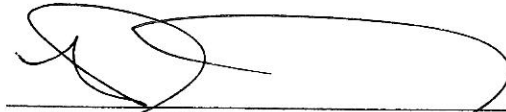
Dorothy Kimmerling, Supervisor



Steve Waier, Supervisor

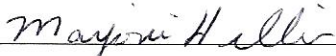


Eugene McCaslin, Supervisor



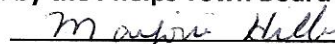
Mike Duquaine, Supervisor

ATTEST:



Marjorie Hiller, Clerk/Treasurer

I hereby certify that the foregoing ordinance was duly adopted by the Phelps Town Board at a legal meeting on the 28th day of February 2018.

  
Marjorie Hiller, Clerk

**PUBLISHED/POSTED:** - March 14, 2018 – Vilas County News Review, Town Website, Phelps Post Office, Phelps Convenience Center and Phelps Community Center/Town Hall.

**Effective Date: March 15, 2018**