

## 2017 Law of the Month

### December 2017

#### Sec. 117-1012. Mobile Homes - Regulation of trailers and mobile home outside of parks.

- It shall be unlawful for any person to park any trailer or mobile home on any street, alley or highway, or other public place, or on any tract of land owned by any person within the Mobile homes shall not be permitted on premises except for within a mobile home park or as permitted by section 117-892 (c)(2).
- Emergency or temporary stopping or parking is permitted on any street, alley or highway for no longer than one-hour subject to any other and further prohibitions, regulations, or limitations imposed by the traffic and parking regulations or ordinances for that street, alley or highway.
- No person shall park or occupy any trailer or mobile home on any premises, except as provided in subsection (b) of this
- The penalty for violation of any provision hereof shall be a forfeiture as defined in the schedule of fees. A separate offence shall be deemed committed on each day on which a violation of any provision of this chapter occurs or continues.

### November 2017

#### Sec. 6-1. License required.

It shall be unlawful for any person in the village to own, harbor or keep any dog or cat more than five months of age after July 1 of the license year without complying with the provisions of this chapter relating to the listing, licensing and tagging of the same.

### October 2017

#### Sec. 32-82. Parking restrictions.

- *Parking on the terrace is* No person shall park a vehicle upon any portion of a street between the curb line and the cement or traveled portion of the sidewalk, commonly known as the terrace.
- *Public* No person shall park a vehicle on any street adjacent to the entrance to a school, church, theater, hotel, hospital or other place of public assemblage during any period prohibited by an official traffic sign.
- *Traffic control* No person shall park a vehicle closer than 30 feet from any corner of any intersection or closer than 30 feet to a stop sign or traffic control signal located immediately adjacent to the traveled portion of a street.
- No person shall park a vehicle upon any bridge or other elevated structure upon a street.
- *Use of streets for advertising purposes is* No person shall operate or park a vehicle upon any street for the primary purpose of advertising.
- *Street and public property storage* No person shall park a vehicle on any street or public property for more than 48 consecutive hours.

- *Use of parking* On streets where, official signs or marks have been placed on or adjacent to the roadway indicating individual parking spaces, whether or not parking meters are also erected on such highways, vehicles shall be parked within the spaces so indicated. No person shall park, stop or leave standing more than one vehicle in any such space.
- *Successive offenses.* No person shall park any vehicle on any street for longer than the period permitted as designated by an official traffic sign. Where parking is limited to a specified period of time by an official traffic sign, each successive, like period that a vehicle remains parked in violation of the restriction shall constitute a separate violation.

## September 2017

### Drivers should be patient, cautious, attentive as school year starts

The start of the school year can be an exciting time for students, a relief for parents and a wake-up call for drivers.

Drivers should expect the unexpected because children and teens on their way to and from school don't always notice and react to nearby traffic. Drivers will need to slow down and pay attention when approaching students who are walking or riding bikes. They also will need to be particularly careful around school buses that are loading or unloading passengers,

Stop for school buses

Wisconsin law requires drivers to stop a minimum of 20 feet from a stopped school bus with its red warning lights flashing. Drivers must stop whether the bus is on their side of road, on the opposite side of the road, or at an intersection they are approaching. However, drivers are not required to stop for a school bus if they are traveling in the opposite direction on the other side of a divided roadway separated by a median or other physical barrier.

When they are passed illegally, school bus drivers are authorized to report the violator to a law enforcement agency and a citation may be issued. The owner of the vehicle, who might not be the offending driver, will be responsible for paying the citation.

A citation for failure to stop for a school bus costs \$326.50 with four demerit points. If reported by a school bus driver, the vehicle owner's liability for the illegal passing of a school bus costs \$326.50 with no demerit points.

In addition to red warning lights, school buses now have amber warning lights. The amber lights are activated as a cautionary message that the bus is about to stop and will soon be flashing its red lights. When the amber lights are illuminated, drivers may pass the school bus with caution.

### Students walking to school:

State law requires drivers to yield to pedestrians:

- Who have started crossing an intersection or crosswalk on a walk signal or on a green light if there's no walk signal.
- Who are crossing the road within a marked or unmarked crosswalk at an intersection where there are no traffic lights or control signals.
- When a vehicle is crossing a sidewalk, or entering an alley or driveway.

In addition, drivers may not legally overtake and pass any vehicle that has stopped for pedestrians at an intersection or crosswalk.

Drivers who fail to yield the right of way to pedestrians who are legally crossing roadways may be issued citations that cost approximately \$175 to \$326 (depending on the type of violation) along with four demerit points on their license. The cost of the citation increases if it's the second violation within one year. A citation for passing a vehicle that is stopped for pedestrian's costs \$326.50 with three demerit points.

### **Students biking to school:**

When drivers are passing bicycles traveling in the same direction, they must leave a safe distance of no less than 3-feet of clearance and must maintain that clearance until they have safely passed the bicycle.

A violation of the state law that requires drivers to overtake and pass bicyclists safely costs a total of \$200.50 with three demerit points. The cost for a second violation within four years increases to \$263.50 with three points.

As another school year begins, we are asking drivers to be patient, cautious and attentive whenever they are near students who are walking, biking or riding a bus.

### **August 2017**

#### **Sec. 20-15. Drinking on public ways prohibited.**

1. No person shall have in his possession any open can, bottle or other container containing malt beverages or intoxicating liquor or drink from the same on any public way, street, sidewalk, boulevard, parkway, safety zone, alley or parking lot, or on and/or in any motor vehicle parked on a public way, street, alley or parking lot.
2. This section shall not apply at such times and in such places as may be specifically exempted temporarily from the provisions of this section by the village board.

### **July 2017**

#### **Curfew Sec. 20-8.**

1. No person 15 years of age or under shall be in a public place in the village between the hours of 10:00 p.m. and 5:00 a.m. on weeknights (Sunday—Thursday), or between the hours of 11:00 p.m. and 5:00 a.m. on weekends (Friday and Saturday). No person 16 or

17 years of age shall be in a public place in the village between the hours of 11:00 p.m. and 5:00 a.m. on weeknights (Sunday—Thursday), or between the hours of 12:00 midnight and 5:00 a.m. on weekends (Friday and Saturday). This curfew does not apply if that person is accompanied by a parent or guardian, is returning from an officially sanctioned school function as defined in subsection (b) of this section, or has some other legitimate purpose for being in a public place.

2. An officially sanctioned school function is a function authorized by the governing body of any public or parochial school of the Villages of Oregon or Brooklyn. Any person 17 years of age or younger attending or returning from such function shall carry on his person a means of identification in such form as shall be approved by the police department or the governing body of the school attended by said person.
3. It shall be unlawful for a parent or guardian to permit any person under his control, if that person is 17 years of age or younger, to be in any public place in the village or unless the person has some other legitimate purpose for being in a public place.

**June 2017**

### **Move Over Law: Drivers must provide a safety zone for stopped law enforcement and other emergency vehicles**

A Wisconsin State Patrol trooper was fortunate to sustain only minor injuries when his cruiser, which was stopped on the side of a highway with its emergency lights activated, was hit in the rear by a vehicle in December. The trooper reported, “I sustained minor injuries but will live to serve another day without permanent or life-altering effects. Other troopers and officers have not been so lucky, losing limbs or their lives.”

To provide a safety zone for law enforcement officers and other workers on the side of roadways, drivers must comply with Wisconsin’s Move Over Law.

“Drivers are required to shift lanes if possible or at least slow down when encountering a law enforcement vehicle, ambulance, fire truck, tow truck, highway maintenance vehicle or utility vehicle that is stopped on the side of a road with its warning lights flashing. On interstate highways and other divided roads with multiple directional lanes, you must move over to vacate the lane closest to the emergency vehicle if you can safely switch lanes. If the road has a single directional lane or you can’t safely move over because of traffic, you must reduce your speed until safely past the vehicle.

A citation for a Move Over Law violation costs \$263.50 with three demerit points added to your driver’s license.

“During winter months, law enforcement officers, tow truck operators and others frequently must respond to crashes and assist motorists whose vehicles have slid off icy roads. Officers and other workers are in danger of being hit while inside or outside their vehicles by out-of-control or speeding vehicles that did not move over. “Drivers have a legal and moral responsibility to help protect those who must work on the side of busy roads. By obeying the Move Over Law, drivers

can protect themselves, their passengers, our officers and others who work on highways from serious injuries and deaths.”

**May 2017**

**32-92. - Disturbance of the peace with a motor vehicle.**

(a) *Unnecessary noise prohibited.* It shall be unlawful for any person to operate a motor vehicle in such a manner which shall make or cause to be made any loud, disturbing, or unnecessary sounds or noises such as may tend to annoy or disturb another in or about any public or private area in the village.

(b) *Unnecessary smoke prohibited.* It shall be unlawful for any person to operate a motor vehicle in such a manner which shall make or cause to be made any smoke, gases, or odors which are disagreeable, foul, or otherwise offensive which may tend to annoy or disturb another in or about any public or private area in the village.

(c) *Unnecessary acceleration and display of power prohibited.* It shall be unlawful for any person to operate any vehicle, including motorcycles, all-terrain vehicles and bicycles, in such a manner as to cause, by excessive and unnecessary acceleration, the tires of such vehicle or cycle to spin or emit loud noises or to unnecessarily throw stones or gravel; nor shall such driver cause to be made an excessive and unnecessary acceleration any loud noise as would disturb the peace.

(d) *Avoidance of traffic control device prohibited.* It shall be unlawful for any person to operate a motor vehicle in such a manner as to leave the roadway and travel across private property to avoid an official traffic control device, sign, or signal.

(e) *Operation in restricted area prohibited.* It shall be unlawful for any person to operate a motor vehicle in such a manner as to leave the roadway and park, stop, or travel upon or across any public or private property, parking lot, driveway, or business service area for any purpose except the official conduct of business located on said property without the consent of the owner or lessee of the property. This section shall specifically include, but not be limited to:

(1) Public park property;

(2) Cemetery properties;

(3) School district property;

(4) Medical facilities;

(5) Funeral homes;

(6) Service stations;

(7) Grocery stores;

(8) Restaurants;

(9) Financial institutions; and

(10) Other similar-type businesses with service driveways or drive-up or drive-through facilities.

(f) *Stopping and parking prohibited.* It shall be unlawful for any person to stop or park a motor vehicle in any manner on any public or private property or parking lot contrary to a regulatory sign posted thereon which may permit parking by certain persons and limits, restricts, or prohibits parking as to other persons without the consent of the owner or lessee of the property. Any vehicle parked in violation of this section may be removed or towed by the property owner at the vehicle owner's expense.

Failure to adhere to the above Ordinance could result in a citation and a penalty of up to \$326.50.

**April 2017**

**National Distracted Driving Awareness Month**

Distracted Driving & Texting

Driving deserves your undivided attention

Despite laws to prevent distracted driving, too many motorists still talk, eat meals and text on cell phones while behind the wheel. They rummage for things on the seats, floor, dashboard or other compartments. They even stare intently in the rearview mirror to comb their hair or apply make-up. Because they're not paying attention to traffic conditions and road hazards, distracted drivers drastically increase their risks of causing a crash or failing to avoid one.

While texting and driving is a leading cause of distraction behind the wheel, distracted driving is **any** activity that takes a person's attention away from the primary task of driving. There are three main types of distraction:

1. Manual – taking your hands off the wheel
2. Visual – taking your eyes off the road
3. Cognitive – taking your mind off driving Distracted driving is dangerous to novice and expert drivers alike. **1 in 5** crashes involve distracted driving. In 2015, there were **24,089** car crashes related to distracted driving in Wisconsin. That means, there is a distracted driving crash happening somewhere in Wisconsin **every 22 minutes**.
4. Driving is a privilege, and it's important to not get distracted in order to help keep you, your passengers, and others on the road safe. Follow these few tips and help us achieve zero deaths on Wisconsin roads:
5. Many distractions involve all three types of distraction, but all it takes is one. The typical distraction requires the driver to take their attention off driving for **less than 5 seconds**. If a driver is going 55 miles per hour and gets distracted for less than 5 seconds, they've

traveled the length of an entire football field (that's **over 100 yards**) without paying attention!

- Commit to driving safely and distraction-free, no matter what
- Turn off your phone, or download an app to prevent incoming and outgoing messages, calls, and notifications while driving; some even send an auto-response back to let people know you're on the road
- Enlist the help of your passengers to avoid distraction
- Speak up as a passenger if you witness distracted driving
- Pull over safely if you need to address any distraction while driving
- Plan ahead: eat, groom, primp, and organize before OR after your drive to avoid any unforeseen distraction
- Get your loved ones on board: sign a pledge together and hold each other accountable for keeping your focus on driving whenever you're behind the wheel
- For additional information regarding the risks associated with distracted driving, visit [www.Distracted.gov](http://www.Distracted.gov).

## **March 2017**

### **State law stipulates when headlights must be turned on**

Per state law, you must use headlights during hours of darkness, which is defined in statute as “the period of time from one-half hour after sunset to one-half hour before sunrise and all other times when there is not sufficient natural light to render clearly visible any person or vehicle upon a highway at a distance of 500 feet.”

In addition, a recently enacted state law requires headlight use when weather conditions limit visibility to 500 feet or less. “Rainy, snowy or foggy days will limit visibility. A sensible rule to follow is that if you turn on your windshield wipers you should also turn on your headlights. You should use your low beams when driving in fog, snow or heavy rain because the light from high beams often will reflect off the precipitation and cause glare. At other times, high beams should be used whenever there are no oncoming vehicles because high beams let you see twice as far.

State law requires that you dim your high beams whenever you approach an oncoming vehicle within 500 feet, which is about one-tenth of a mile. High beams also must be dimmed when you are 500 feet or less behind another vehicle.

A citation for failing to use headlights when required or failing to dim high beams within 500 feet of another vehicle will cost drivers \$162.70 plus three demerit points.

As drivers begin their seasonal adjustments to increase/decrease hours of darkness and more inclement weather, headlight use is critical for their safety and the safety of others drivers.

## **February 2017**

### **Wisconsin's 'Absolute Sobriety Law' means not a drop of alcohol for drivers under age 21**

Traffic crashes are the leading cause of death for teens in Wisconsin. To prevent needless deaths and injuries during the start of the graduation season and other springtime celebrations, law enforcement agencies are reminding young motorists and their parents about Wisconsin's Absolute Sobriety Law for drivers under age 21.

The law is quite simple. Absolute sobriety for drivers under age 21 means they may not consume any amount of alcohol—not even a drop—and legally operate a motor vehicle.

Young drivers convicted of violating Wisconsin's Absolute Sobriety Law will have their driver license suspended for three months. They also will have to pay a \$389.50 citation and will have four demerit points assessed on their driver license.

“At any age, alcohol even in small amounts may impair the mental and physical skills needed to drive safely, such as decision-making, concentration, coordination and reaction time. However, teens and young people, who often are inexperienced drivers, are especially susceptible to the adverse effects of alcohol on their driving ability, we don't want young drivers or their passengers to suffer serious injuries or tragic deaths because of a disastrous decision, such as getting behind the wheel after drinking.

## **January 2017**

### **What to do when you see flashing lights on the highway**

Flashing lights on emergency vehicles are designed to get your attention while driving and prompt decisive actions. By reacting calmly and correctly in the following situations, you can help prevent serious problems.

When you see warning, lights flashing on a law enforcement vehicle, ambulance, fire truck, tow truck, highway maintenance vehicle or utility vehicle that is stopped on the side of a road, you are required to move over or at least slow down. “Under the state's, Move Over Law, if you can safely switch lanes on interstate highways and other divided roads with multiple directional lanes, you must vacate the lane closest to the stopped law enforcement or other emergency vehicle, If the road has a single directional lane or you can't safely move over because of traffic, you must reduce your speed until safely past the vehicle.”

A citation for a Move Over Law violation costs \$263.50 with three demerit points added to your driver's license.

“Our officers and others working on the sides of highways are in danger of being hit while inside or outside their vehicles by out-of-control or speeding vehicles that did not move over. By obeying the Move Over Law, drivers can protect themselves, their passengers, our officers and others who work on highways from serious injuries and deaths.



Drivers also may encounter emergency vehicles, such as law enforcement squad cars, ambulances and fire trucks, approaching with their warning lights and sirens activated. Per state law, drivers must then yield the right of way and drive immediately “to a position as near as possible and parallel to the right curb or the right-hand edge of the shoulder of the roadway clear of any intersection.” Unless directed otherwise by a law enforcement officer, the driver of the vehicle shall stop and remain stopped until the authorized emergency vehicle has passed. A violation of this law costs \$326.50 with four points added to the driver’s license.

“While making, traffic stops on divided highways, we as officers see many motorists move to the left and stop on the median shoulder instead of pulling over on the right shoulder. Stopping on the median shoulder instead of the shoulder on the right is dangerous for both the motorist and the officer.

Staying safe on the highway for you and others is top priority.

**Brooklyn Police Department**