



**VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN**  
**REGULAR MEETING AGENDA OF THE COMMUNITY LIFE AND PUBLIC SAFETY (CLPS) COMMITTEE**  
Weston Municipal Center - Board Room  
4747 Camp Phillips Road, Weston, WI 54476

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**Monday, March 2, 2026, at 5:00 p.m.**

Some or all of the members of the Committee, applicants, or members of the public, may participate in the meeting remotely by teleconference or videoconference via the Zoom links listed below.

**Join Zoom Meeting by Computer:**

<https://zoom.us/j/5445915099>

**Join Zoom Meeting by Phone:**

+1 312 626 6799 US (Chicago)

**Meeting ID: 544 591 5099**

**CALL TO ORDER/ROLL CALL**

1. Meeting called to order by CLPS Chair & Village Trustee Lopes-Serrao
2. Pledge of Allegiance to the Flag
3. Roll Call and declaration of quorum by Secretary – Luis Lopes-Serrao{c}, Barb Ermeling{vc}, Lisa Beck, Katrina Clark, John Czerwonka, Kirk Kamke, and Brent Olson

Mission Statement: *The Community Life and Public Safety Committee evaluates and makes recommendations to the Village Board on matters related to safety, welfare, and livability within the Village and their impact upon Village of Weston residents.*

**PUBLIC COMMENT**

(Please be advised per State Statute Section 19.84(2), the information will be received from the public. It is the policy of the Village that there be a five-minute time-period, per person, with time extension, per the Chair's discretion; be further advised that there may be limited discussion on the information received, however, no action will be taken under public comment.)

**MINUTES FROM PREVIOUS MEETINGS**

4. [Minutes from January 5, 2026, Regular Meeting](#)

**WRITTEN COMMUNICATIONS RECEIVED**

**ACKNOWLEDGE REPORTS FROM DEPARTMENTS**

5. [Code Enforcement Update](#)
  - a. [Update on Raze or Repair Order for Aspen Street Apartments located at 4911, 5003, 5007, 5011, 5103 & 5107 Aspen Street](#)
6. [2025 Year-End Code Enforcement Report](#)

**UNFINISHED BUSINESS**

7. [Discussion and/or action on proposed amendments to Chapter 50 Nuisances](#)
8. [Discussion and/or action on proposed E-bike and E-Moto Ordinance](#)



**VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN  
OFFICIAL MEETING AGENDA OF THE REGULAR MEETING AGENDA OF THE  
COMMUNITY LIFE AND PUBLIC SAFETY (CLPS) COMMITTEE**

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**NEW BUSINESS**

9. Discussion and/or action on amendments to Chapter 82 Traffic and Vehicles, Article VI Speed Limits
10. Discussion and/or action removal of No Parking restrictions on Alta Verde, south of Jelinek Avenue, and Alderson Street, along Kennedy Park
11. Discussion and/or action on Right Turn, No Stop sign added at Community Center Drive and Birch Street

**ANNOUNCEMENTS**

**REMARKS FROM COMMITTEE MEMBERS**

**ITEMS FOR NEXT AGENDA**

- a. Next Regular Meeting Date – Monday, May 4, 2026, at 5:00 pm

**ADJOURNMENT**

A quorum of members from other Village governmental bodies (boards, commissions, and committees) may/might attend the above-noticed meeting to gather information. Should a quorum of other government bodies be present, this would constitute a meeting pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis.2d 553,494 N.W.2d 408 (1993). No official actions other than those of the Community Life & Public Safety Committee shall take place.

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the Village will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or activities. If you need assistance or reasonable accommodations in participating in this meeting or event due to a disability as defined under the ADA, please call the Village Clerk at 715-359-6114 or [clerks@westonwi.gov](mailto:clerks@westonwi.gov) to discuss your accessibility needs. We ask your request to be provided a minimum of 72 hours before the scheduled event or meeting. If a request is made less than 72 hours before the event the Village will make a good faith effort to accommodate your request.

This Agenda was posted at the Village Municipal Center, on [www.westonwi.gov](http://www.westonwi.gov) and transmitted to media partners on 02/25/26. Questions can be directed to the Administrator at 715-359-6114

**Village of Weston, Wisconsin  
OFFICIAL PROCEEDINGS OF THE  
VILLAGE COMMUNITY LIFE AND PUBLIC SAFETY (CLPS) COMMITTEE MEETING**  
held on Monday, January 5, 2026, at 5:00 p.m., in the Board Room, at 4747 Camp Phillips Road

**AGENDA ITEMS.**

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**1. Meeting called to order by CLPS Chair and Village Trustee, Luis Lopes-Serrao, at approximately 5:00 p.m.**

**2. Pledge of Allegiance to the Flag.**

**3. Roll Call and Declaration of Quorum by Secretary Parker.**

Roll call indicated seven (6) CLPS members present.

<u>Member</u>	<u>Present</u>
Lopes-Serrao, Luis {Chair}	YES
Ermeling, Barbara {Vice Chair}	YES
Beck, Lisa	YES
Clark, Katrina	YES – Via Zoom
Czerwonka, John	YES
Kamke, Kirk	EXCUSED
Olson, Brent	YES

Village Staff in attendance, in-person: Gebert, Higgins, Maguire, Dolan, Webster, Hunt, Finke, and Parker.

Village Staff in attendance, via Zoom: None

Board of Trustees Members Present in the audience, in-person: None

Board of Trustees Members Present in the audience, via Zoom: None

Audience Members in attendance, in-person: There was 1 audience member present, in-person.

Audience Members in attendance, via Zoom: There was 1 audience member present, via Zoom.

**PUBLIC COMMENT [0:00:57 Zoom Meeting Recording]**

Jim Pinsonneault, 5002 Arrow Street, Weston. He read into record a request (attached) for CLPS to either remove the reference duplication or clarify in further how 50.103.11 will be enforced.

A request was made to now move to Agenda Item #11, under New Business.

**MINUTES FROM PREVIOUS MEETINGS [0:26:10 Zoom Meeting Recording]**

**4. Approve Minutes from November 3, 2025, CLPS Meeting.**

***Motion by Olson, second by Ermeling: to approve the November 3, 2025, CLPS meeting minutes.***

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member (PC)</u>	<u>Voting</u>
Lopes-Serrao, Luis {Chair}	YES
Ermeling, Barbara {Vice Chair}	YES
Beck, Lisa	YES
Clark, Katrina	YES
Czerwonka, John	YES
Kamke, Kirk	-----
Olson, Brent	YES

## WRITTEN COMMUNICATIONS RECEIVED

None.

## ACKNOWLEDGE REPORTS FROM DEPARTMENTS [0:26:39 Zoom Meeting Recording]

### 5. Code Enforcement Update

Maguire explained the report bringing up the active enforcement case list. Explained the reasoning for “suspended” cases, is on hold until winter is over (particularly with issues of paving or exterior work). Once winter is near over, they will begin looking into these again.

#### a. Update on Raze or Repair Order for Aspen Street Apartments, located at 4911, 5003, 5007, 5011, 5103, & 5107 Aspen Street [0:29:02 Zoom Meeting Recording]

Maguire gave a description of the work that has been done on these properties, and displayed some pictures of that work, and how the new property owner here has invested a significant amount of funding to fixing these properties up. He then requested that we pull this item from the future CLPS agendas, unless there is a significant backslide on this project..

Ermeling stated where the garbage enclosures are located compared to the driveways, how it can be hard to see traffic coming in and out. Maguire stated he could look into that.

Lopes-Serrao would like to keep this on for one more meeting yet, as there has not been an inspection since the last meeting.

#### b. Update on 3020 Mount View Avenue’s property maintenance issues and County’s tax delinquent property acquisition progress. [0:38:12 Zoom Meeting Recording]

Maguire stated the County took possession in early November. He stated how the County was going to list this property on the WI Surplus auction site, but how he has not seen anything out there yet. He stated that there is a certain window of time where the heirs of the estate can repurchase the property, but in his conversation with the family, they are not interested. Maguire stated we are not able to bill the County for any services, and how Parker had requested the new Harter’s garbage and recycling containers be removed from the property. He stated Village staff is taking care of clearing the sidewalk and mowing.

He stated that once new ownership purchases the property we can work with them to inspect it and place a raise or repair order on the house, depending on its structural status. He stated it has to do with the extent of damage in relation to the property value.

Ermeling questioned why we are doing services, and why we can't bill the County when we are performing all these services. Gebert commented that we have had real cooperative discussions with the County on this and how the sooner we get this property back on the tax roll, the better it will be for all.

A question came up on if we want to remove this item, and it was agreed to remove it, but when there is a change in ownership to bring back to CLPS with an update.

***Motion by Ermeling, second by Czerwonka: to acknowledge the Code Enforcement Update Report, and to bring Item #A back at next meeting, and Item #B comes back when there are changes on the property.***

Yes Vote: 6    No Votes: 0    Abstain: 0    Not Voting: 1    Result: PASS

<u>Member (PC)</u>	<u>Voting</u>
Lopes-Serrao, Luis {Chair}	YES
Ermeling, Barbara {Vice Chair}	YES
Beck, Lisa	YES
Clark, Katrina	YES
Czerwonka, John	YES
Kamke, Kirk	-----
Olson, Brent	YES

## **UNFINISHED BUSINESS**

### **6. Discussion and/or action on results of continued traffic enforcement on Mallard Court from Alderson Street to end of court [0:44:19 Zoom Meeting Recording]**

Gebert commented that at the last meeting, it was asked that his neighborhood continue to be monitored with patrols. Hunt agrees to continue monitoring this area.

Gebert commented on the Children at Play door hangers, that were approved last year. She stated we now have them, and will share about them this spring.

***Motion by Ermeling, second by Olson: that no further action is needed on this item, and how MBMPD will continue to monitor Mallard Court, from Alderson Street to the end of the court, according to their regular patrol schedule.***

Yes Vote: 6    No Votes: 0    Abstain: 0    Not Voting: 1    Result: PASS

<u>Member (PC)</u>	<u>Voting</u>
Lopes-Serrao, Luis {Chair}	YES
Ermeling, Barbara {Vice Chair}	YES

Beck, Lisa	YES
Clark, Katrina	YES
Czerwonka, John	YES
Kamke, Kirk	-----
Olson, Brent	YES

**7. Discussion and/or action on proposed amendments to Chapter 42 Law Enforcement**

*[0:46:24 Zoom Meeting Recording]*

Gebert pointed to RFC and draft ordinance amendments in the packet. Attorney Yde feels we should keep 42.102 in the form of a citation, in case we need to in the future.

***Motion by Olson, second by Czerwonka: to recommend the proposed ordinance amendments to the Board of Trustees.***

Yes Vote: 6    No Votes: 0    Abstain: 0    Not Voting: 1    Result: PASS

<u>Member (PC)</u>	<u>Voting</u>
Lopes-Serrao, Luis {Chair}	YES
Ermeling, Barbara {Vice Chair}	YES
Beck, Lisa	YES
Clark, Katrina	YES
Czerwonka, John	YES
Kamke, Kirk	-----
Olson, Brent	YES

**8. Discussion and/or action on proposed amendments to Chapter 50 Nuisances *[0:48:50 Zoom Meeting Recording]***

Gebert referred to the draft ordinance amendments in the packet.

Olson questioned if when we worked through the animal ordinance if we changed “excreta”, as far as is there is a consistency-thing that we should be looking at. Gebert stated this is something we could potentially remove from Chapter 50, as she believe excreta or feces is covered in Chapter 10. Higgins stated we could just remove the text and make reference to Chapter 10. Olson agrees we should use the same terminology on these word references.

Clark commented on 51.02.5 height clearance for tree limbs, where it states the height over the sidewalk can be 14 feet and the height over the road is 10 feet, she feels it should be the other way around.

Dolan suggested the taller height should be for the road.

Clark questioned the charge on mowing grass, and how we figure out the charge if a person would like to make an appeal. She does not understand why we would charge someone to come in an make an appeal.

Gebert explained Attorney Yde's perspective is that there is some cost for us doing the enforcement. Also, if there is a fee involved provides some incentive or buy-in from the property owner to appeal against the decision that the grass needs to be mowed. It was stated that these citations are tied to a timeframe, and how these can't wait for the next regular CLPS meeting, where a special meeting would be called.

Beck questioned the "No Mow May" instances, and how we require a lawn no taller than 8". Higgins stated we typically do not start enforcing that until June.

Olson commented on height for utility wires and cables. Higgins stated can move those to 14 feet and will also check with Wodalski, and will bring back next month.

Beck feels like bringing this back next month would be helpful.

**Motion by Olson, second by Beck: to bring back this item in March.**

Yes Vote: 6    No Votes: 0    Abstain: 0    Not Voting: 1    Result: PASS

<u>Member (PC)</u>	<u>Voting</u>
Lopes-Serrao, Luis {Chair}	YES
Ermeling, Barbara {Vice Chair}	YES
Beck, Lisa	YES
Clark, Katrina	YES
Czerwonka, John	YES
Kamke, Kirk	-----
Olson, Brent	YES

**9. Discussion and/or action on proposed E-Bike and E-Metro Ordinance. [1:03:20 Zoom Meeting Recording]**

Gebert stated that at a recent MPO Bike & Pedestrian Subcommittee meeting, it suggested that MPO develop draft an ordinance for all areas, so that all municipalities have the same ordinance. She stated that with a draft, we may still have some tweaking to do, but in general, the ordinances will be similar.

Gebert stated she shared with them six items that we discussed previously as priority items in the development of an ordinance. She stated that the sub-committee meeting is February 5<sup>th</sup>. She stated that MPO has told her that the Wisconsin BikeFed is interested in doing additional educational sessions for cyclists, and are collecting information on what those folks would like to see. One session is on E-bike safety and education.

Olson feels it would be helpful for those experienced in this topic to provide us a starting point.

Lopes-Serrao commented he sees a lot of E-bike users using those for legitimate travel purposes, such as to work, and then covering a long stretch of roadway.

Czerwonka questioned the timeline and/or goal. Gebert stated in February we would ask for feedback, and how the priorities were due in December. Gebert stated he could bring something back in March. Ermeling feels it would be good to have this before summer.

***Motion by Ermeling, second by Olson: to monitor the progress of the MPO Bike/Pedestrian Subcommittee development of a draft metro-area e-bicycle ordinance and discuss input on a draft at a future CLPS meeting.***

Yes Vote: 6    No Votes: 0    Abstain: 0    Not Voting: 1    Result: PASS

<u>Member (PC)</u>	<u>Voting</u>
Lopes-Serrao, Luis {Chair}	YES
Ermeling, Barbara {Vice Chair}	YES
Beck, Lisa	YES
Clark, Katrina	YES
Czerwonka, John	YES
Kamke, Kirk	-----
Olson, Brent	YES

**NEW BUSINESS**

**10. Discussion and/or action on New Class “A” Fermented Malt Beverage & “Class A” Intoxicating Liquor Application – Asees Petroleum LLC dba BP Weston, 4101 Schofield Avenue [1:08:45 Zoom Meeting Recording]**

Gebert stated that when CLPS was formed, they were charged to review new licenses. She stated this is a gas station facility.

Olson questioned if it is customary to approve a liquor license prior to them actually owning the building. Gebert stated they still have to file all the paperwork, and would want to ensure that they would have licensure before closing on the sale.

***Motion by Ermeling, second by Czerwonka: to recommend a Class A Fermented Malt Beverage and Class A Intoxicating Liquor application for Asees Petroleum LLC, and be forwarded to the Board of Trustees January 19<sup>th</sup> meeting for approval.***

Yes Vote: 6    No Votes: 0    Abstain: 0    Not Voting: 1    Result: PASS

<u>Member (PC)</u>	<u>Voting</u>
Lopes-Serrao, Luis {Chair}	YES
Ermeling, Barbara {Vice Chair}	YES
Beck, Lisa	YES
Clark, Katrina	YES
Czerwonka, John	YES
Kamke, Kirk	-----
Olson, Brent	YES

The Committee then moved down to “Announcements” on the agenda.

**11. Discussion and/or action on neighbor request for a speed limit increase (from 35 mph to 45 mph) on Weston Avenue from Von Kanel Street to Ryan Street [0:0:07 Zoom Meeting Recording]**

Isaac Dolan, Village of Weston Staff Engineer, was present, and explained the RFC, and how they came to lowering the speed limit to 35mph during the construction/design phase of the Weston Avenue project.

Ermeling commented on the speed limit and how it was 45 and not 35, and questioned on why when it was narrower and very bumpy that 45 mph was okay. She stated that 45mph feels more natural. She also commented on how currently there are not any more homes than before on this stretch when it was 45mph. She commented on how when you pass Ryan Street, it is back to 45mph.

It was stated that during the public meetings on the Weston Avenue project, how the residents who attended voiced their preference for a slower speed limit (at 35mph), and with that input, the road was designed for the slower speed.

It was stated that in order to change a speed limit, a speed engineering study is required to be done. It was also stated that if the road is designed for 35mph (which gives a 5mph buffer), if we open the road up to a faster speed than what it is designed for, we could be opening ourselves up for liability.

Lopes-Serrao stated that since the residents of this area took the time to show up to the public meeting requesting the lower speed limit, he does not think it would prudent for the Village to consider a speed change.

It was stated that if we were going to entertain the idea of changing the speed limit, we would need to make some sort of public notice that this is being discussed and allow those residents the ability to come in and provide their comments.

Clark stated that she did speak with a resident, who lives in that area, who has stated to her that he feels this was not a worthwhile reduction. She also brought up her experiences with walking along a multi-use path, and how uncomfortable it is when you have traffic going past you at 45 mph.

Hunt stated that currently we can't enforce that road, as per the ordinance, it is a 45mph road. They would need to change the ordinance.

Olson questioned to ask Yde if it is common to increase speeds on roads that are not designed for those speeds. Gebert suggested we could ask the League of Municipalities.

Ermeling stated she would prefer 45mph. While she is concerned if this was constructed for 40mph, but also feels once development occurs out there, then we can look at reducing.

Lopes-Serrao stated the resident who requested did not attend, and neighbors did during the public meeting.

**Motion by Ermeling, second by Beck: to send to PW & BOT for review. Question: Olson commented that he can't support based on only 1 person requesting the increase. He would rather see this on a future agenda item and give residents the opportunity to attend. Motion dies.**

Yes Vote: 6    No Votes: 0    Abstain: 0    Not Voting: 1    Result: PASS

<u>Member (PC)</u>	<u>Voting</u>
Lopes-Serrao, Luis {Chair}	NO
Ermeling, Barbara {Vice Chair}	YES
Beck, Lisa	YES
Clark, Katrina	YES
Czerwonka, John	NO
Kamke, Kirk	-----
Olson, Brent	NO

**Motion by Olson, second by Clark: to table this item and push to next CLPS meeting and invite residents to come in for discussion. Motion dies.**

Yes Vote: 6    No Votes: 0    Abstain: 0    Not Voting: 1    Result: PASS

<u>Member (PC)</u>	<u>Voting</u>
Lopes-Serrao, Luis {Chair}	YES
Ermeling, Barbara {Vice Chair}	NO
Beck, Lisa	NO
Clark, Katrina	YES
Czerwonka, John	NO
Kamke, Kirk	-----
Olson, Brent	YES

Lopes-Serrao commented that any change in this ordinance would have to go before PW and BOT.

It was stated that Public Works will be discussing this next week at their meeting. Higgins stated that the road is currently signed for the 35mph, and in order to enforce that, an ordinance would have to be passed.

The Committee moved back up to Agenda Item #4.

**ANNOUNCEMENTS [1:11:15 Zoom Meeting Recording]**

None

**REMARKS FROM COMMITTEE MEMBERS [1:12:50 Zoom Meeting Recording]**

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Ermeling stated that she will need to be excused from the March meeting.

Czerwonka shared his appreciation for the work done by the DPW crew, and how they did a good job clearing the roads especially during the holiday season.

Lopes-Serrao expressed his congratulations to Kevin Ostrowski and Tom Jourdan for their service and on their retirements. He also stated that regarding the public comments we heard, as far as the book that was referenced, he does not believe we can put that in the public record because it is copyrighted material and public record would be releasing that. He stated that people can certainly check it out at the library if they want. He recommends we just donate the book to somebody, rather than keep it here on site. He stated it could also be looked at as receiving a gift. He stated it can be gifted out or Pinsonneault can come and retrieve it and gift it to somebody else.

**ITEMS FOR NEXT AGENDA [1:14:10 Zoom Meeting Recording]**

Maguire stated we should have the 2025 year-end code enforcement report. He pointed out how, through the assistance of the Code Enforcement Officers, we were able to close out over 200 cases this year.

The Items that were brought up today will be on the March agenda.

**a. Next Regular Meeting Date – Monday, March 2, 2026, at 5:00 p.m.**

**ADJOURNMENT**

***Motion by Czerwonka, second by Beck, to adjourn at 6:14 p.m.***

Luis Lopes-Serrao, Village Trustee and CLPS Chair  
Jami Gebert, Village Administrator  
Valerie Parker, Recording Secretary

Good evening, Jim Pinsonneault 5002 Arrow St

This body is tasked with taking a deep dive into every line of municipal code. They have discussed topics which may be uncomfortable for some to bring up in a public space. Things such as massage parlors, rodent infestations, and the prohibition of lions, tigers and bears oh my.

This evening you will be discussing chapter 50. I have identified an inconsistency and unnecessary duplication of regulations. Specifically on page 74. 50.103.11 covers animal excreta. This likely, is actually referring to poop. As previously discussed by this body the definition of excreta is "waste matter discharged from the body, especially feces and urine."

I do not feel any additional duplication of regulation is necessary on this topic, as it was gone though in detail in the Animals chapter. If this body wishes to keep 50.103.11, I would ask that clarification is made to clearly define excreta as poop. Unless, you actually mean urine and feces as the dictionary has it called out. If this is the case, what method of urine removal would you prefer our residents to utilize so that they are in compliance with the law of the land?

As a the former chair of this committee I would like to formally present this book as an addition to the official Village of Weston reference library which is utilized by staff and officials. It can be placed there for future generations to reference and learn from. I am also formally requesting that it be scanned into the record as part of my public comment, as it contains only about 142 words. It is called "Everyone Poops" by Taro Gomi. I hope you all find this a useful tool in educating and increasing the awareness about scary things such as "excreta."

Thank you for your consideration in this matter, and for accepting this contribution to the Mark Maloney Presidential library on my behalf.



# Public Comment Form

This form must be completed and handed to the Clerk prior to the start of a meeting.

Please state which meeting this is for:  Village Board of Trustees  Other: CLPS

Full Name: Jim Pinsonneault Date: 1 / 5 / 26

Phone Number: (75) 212 - 0540 Email Address: jp@westonvt.com

Your Address: 5002 Arrow St

Do you wish to make an oral statement? Yes:  No:

Meeting Date:      /      /      Agenda Item: (if applicable) 3

Comments: (Please use backside of sheet if you need more room) Duplication of code

**From:** [Michael Wodalski](#)  
**To:** [Jami Gebert](#)  
**Subject:** FW: Weston Avenue Corridor  
**Date:** Tuesday, February 3, 2026 8:29:55 PM

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Jami,

Here's another email I received today.

Thanks,  
Michael

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**From:** Gary Barnett <[REDACTED]>  
**Sent:** Tuesday, February 3, 2026 5:08 PM  
**To:** Michael Wodalski <[mwodalski@westonwi.gov](mailto:mwodalski@westonwi.gov)>  
**Subject:** Weston Avenue Corridor

Hi Mike,

We are glad that the Weston Avenue reconstruction has been successfully completed. The new road looks great. Thank you for keeping us updated throughout this lengthy and somewhat painful process. We appreciate that you have always been receptive to our concerns and questions.

As nice as the new road is, the biggest benefit has been the reduction of the posted speed limit. It is our understanding that the Village and the State were both involved in recognizing that we live in a residential area, and dropping the speed limit to 35 mph, which we are thankful for. This is a safe speed limit for those of us who live on Weston Avenue.

While there may be people who are not happy with this reduction, chances are they do not live on this road.

Safety cannot be underestimated and we hope the Village conveys this message to any complainants, and we also hope the Village will refuse to consider upping the speed limit just to make it "convenient" for those who use it as a thoroughfare. Even now we still see vehicles, predominantly big rigs, who travel the road easily in excess of 50 mph.

At some point, we hope a truck route will be established off of Cty. Hwy. J and these big trucks will no longer be allowed to tear up & down Weston Avenue from the Cty. Hwy. X intersection. This viewpoint is shared by many of us residents.

Thanks again, Mike. Appreciate your dedication and skillful problem solving.

Sincerely,

Gary & Mary Barnett  
5906 Weston Avenue  
Weston WI

**From:** [Michael Wodalski](#)  
**To:** [Jami Gebert](#)  
**Subject:** FW: Weston Ave  
**Date:** Tuesday, February 3, 2026 12:04:43 PM

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Jami,

Here's an email from a Weston Ave resident that I figured I should share.

Thanks,  
Michael

-----Original Message-----

From: Timothy Wunsch <[REDACTED]>  
Sent: Tuesday, February 3, 2026 11:47 AM  
To: Michael Wodalski <[mwodalski@westonwi.gov](mailto:mwodalski@westonwi.gov)>  
Subject: Weston Ave

Mike: I wanted to touch down with you regarding the new road. First of all, I am a huge supporter of the 35mph speed limit from Ryan to X. It seems to be working to keep most traffic under highway speeds. There are still enough vehicles that are probably going 50 plus. (Even had a school bus flying low past me one day). I understand there is pushback from some who would like to see it increased. I would say we are a shortcut even with the 35 speed limit. If you need to go faster, maybe use the highway. I would also be a proponent of restricting commercial trucking if that were to become an issue. It was pretty messy getting here(going to need a house wash), but the final product is very nice.

Good job

Tim Wunsch

Sent from my iPhone

# REQUEST FOR CONSIDERATION

**Public Mtg/Date:** CLPS, February 2, 2025

**Description:** Monthly Code Enforcement Report

**From:** Jennifer Higgins, Planning & Development Director/Zoning Administrator  
Roman Maguire, Building Inspector  
Travis Meverden, Building Inspector/Property Inspector  
Audrey Webster, Assistant Planner  
Mountain Bay Metro Police Department

**Question:** Item is on the agenda for informational purposes only as an update to Code enforcement case progress over the past month.

## BACKGROUND

As of 02/25/26

- There were 52 open and active code enforcement cases. (See attached list)
- In January and February 2026, 9 cases were created, 4 cases were closed. 13 of the overall 52 active cases have been referred to Mountain Bay Metro PD and are in various stages of enforcement proceedings (Monitoring/Citations/Municipal Court).
- To date we have received 4 new complaints in February. 1 case has been closed.

**Attached Docs:** Active Enforcement Case List

**Committee Action:** None

**Fiscal Impact:** TBD.

**Recommendation:** Staff recommend the Committee acknowledge the report and place on file.

## RECOMMENDED LANGUAGE FOR OFFICIAL ACTION

I acknowledge the report as presented and direct staff to place the report on file.

**ADDITIONAL ACTION:** None

# REQUEST FOR CONSIDERATION

ID	Complaint Date	Case Address	Case Number	Type	Status	Assigned To	Created On	Created By
6675	2/18/2026	1803 Rossenbach ave	CV-202600009	Building Code	Pending	CodeEnforcement	2/18/2026	Code Enforcement
6674	2/13/2026	3218 VERN LN, WESTON	CV-202600008	Parking	In Violation	CodeEnforcement	2/13/2026	Code Enforcement
6672	2/5/2026	3902 BAYINGTON AVE, WESTON	CV-202600006	Health and Sanitation	Pending	rmaguire	2/5/2026	schibeya
6671	1/28/2026	3510 MOUNT VIEW AVE, WESTON	CV-202600005	Building Code	Pending	rmaguire	1/28/2026	vparker
6667	1/6/2026	6507 QUENTIN ST, WESTON	CV-202600001	Zoning-Motorized Vehicle Storage	In Violation	CodeEnforcement	1/6/2026	Code Enforcement
6661	12/18/2025	2211 RADTKE AVE, WESTON	CV-202500231	Abandoned Vehicles	In Violation	MBMPD	12/18/2025	Code Enforcement
6655	12/9/2025	4406 DEER ST, WESTON	CV-202500225	Nuisances	In Violation	codeenforcement	12/9/2025	Code Enforcement
6650	11/19/2025	1612 HIGHLAND AVE, WESTON	CV-202500220	Health and Sanitation	Monitoring	rmaguire	11/19/2025	Code Enforcement
6648	11/7/2025	5107 ASPEN ST, WESTON	CV-202500218	Zoning-Accessory Buildings	Enforcement Suspended	codeenforcement	11/7/2025	vparker
6647	10/31/2025	4903 MESKER ST, WESTON	CV-202500217	Building Code	In Violation	codeenforcement	10/31/2025	rmaguire
6646	10/23/2025	5909 MARY LN, WESTON	CV-202500216	Zoning-Permits/Approvals	In Violation	codeenforcement	10/30/2025	awebster
6643	10/27/2025	3902 BAYINGTON AVE, WESTON	CV-202500213	Health and Sanitation	In Violation	codeenforcement	10/27/2025	vparker
6641	10/20/2025	1412 KECK AVE, WESTON	CV-202500211	Health and Sanitation	In Violation	rmaguire	10/20/2025	vparker
6629	9/22/2025	2105 JELINEK AVE, WESTON	CV-202500199	Nuisances	In Violation	codeenforcement	9/22/2025	vparker
6598	8/11/2025	1803 ROSSENBACH AVE, WESTON	CV-202500168	Building Code	In Violation	mloveless	8/11/2025	Code Enforcement
6597	8/6/2025	4206 AUGUSTINE AVE, WESTON	CV-202500167	Junked Motor Vehicles	In Violation	mloveless	8/6/2025	tmeverden
6580	7/15/2025	5308 S TIMBER ST, WESTON	CV-202500150	Nuisances	Enforcement Suspended	tmeverden	7/15/2025	Code Enforcement
6558	6/28/2025	4020 SCHOFIELD AVE, WESTON	CV-202500128	Refuse and Recycling	Monitoring	vparker	6/28/2025	Code Enforcement
6544	6/24/2025	1726 LAGUNA AVE, WESTON	CV-202500114	Zoning-Driveways	Enforcement Suspended	tmeverden	6/24/2025	statro
6539	6/20/2025	5007 LEE AVE, WESTON	CV-202500109	Zoning-Permits/Approvals	In Violation	rmaguire	6/20/2025	dgersert
6524	6/12/2025	4602 FULLER ST, WESTON	CV-202500094	Nuisances	In Violation	jzwicky	6/12/2025	dgersert
6477	4/8/2025	5011 PINE ST, WESTON	CV-202500047	Nuisances	Enforcement Suspended	mloveless	4/8/2025	Code Enforcement
6470	3/28/2025	2215 SCHOFIELD AVE, WESTON	CV-202500040	Zoning-Land Use	In Violation	mloveless	3/28/2025	vparker
6450	2/17/2025	1818 HIGHLAND AVE, WESTON	CV-202500020	Nuisances	In Violation	mloveless	2/17/2025	Code Enforcement
6435	1/22/2025	5107 ASPEN ST, WESTON	CV-202500005	Zoning-Motorized Vehicle Storage	Monitoring	jzwicky	1/22/2025	jhiggins
6434	1/22/2025	3020 MOUNT VIEW AVE, WESTON	CV-202500004	Building Code	Enforcement Suspended	rmaguire	1/22/2025	rmaguire
6433	1/16/2025	3613 SCHOFIELD AVE, WESTON	CV-202500003	Zoning-Permits/Approvals	In Violation	rmaguire	1/20/2025	jhiggins
6430	12/31/2024	4717 MESKER ST, WESTON	CV-202400208	Nuisances	In Violation	mloveless	12/31/2024	vparker
6426	12/18/2024	4002 SCHOFIELD AVE, WESTON	CV-202400204	Refuse and Recycling	Monitoring	vparker	12/18/2024	vparker
6425	12/18/2024	3806 SCHOFIELD AVE, WESTON	CV-202400203	Refuse and Recycling	Monitoring	vparker	12/18/2024	vparker
6424	12/18/2024	3910 SCHOFIELD AVE, WESTON	CV-202400202	Refuse and Recycling	Monitoring	vparker	12/18/2024	vparker
6422	12/13/2024	6406 HUBERT AVE, WESTON	CV-202400200	Nuisances	Enforcement Suspended	tmeverden	12/13/2024	Code Enforcement
6415	11/18/2024	4911 ASPEN ST, WESTON	CV-202400193	Building Code	In Violation	rmaguire	12/11/2024	rmaguire
6414	12/11/2024	5003 ASPEN ST, WESTON	CV-202400192	Building Code	In Violation	rmaguire	12/11/2024	rmaguire
6413	11/18/2024	5007 ASPEN ST, WESTON	CV-202400191	Building Code	In Violation	rmaguire	12/11/2024	rmaguire
6412	11/18/2024	5011 ASPEN ST, WESTON	CV-202400190	Building Code	In Violation	rmaguire	12/11/2024	rmaguire
6411	11/18/2024	5103 ASPEN ST, WESTON	CV-202400189	Building Code	In Violation	rmaguire	12/10/2024	rmaguire
6410	11/18/2024	5107 ASPEN ST, WESTON	CV-202400188	Building Code	In Violation	rmaguire	12/10/2024	rmaguire
6405	11/15/2024	4020 SCHOFIELD AVE, WESTON	CV-202400183	Refuse and Recycling	Monitoring	vparker	11/15/2024	Code Enforcement
6400	11/11/2024	3404 STERNBERG AVE, WESTON	CV-202400178	Zoning-Accessory Buildings	Enforcement Suspended	mloveless	11/11/2024	tmeverden
6397	11/1/2024	5912 BUSINESS HIGHWAY 51, WESTON	CV-202400175	Building Code	In Violation	rmaguire	11/6/2024	rmaguire
6350	8/16/2024	1310 POST AVE, WESTON	CV-202400128	Nuisances	Monitoring	jzwicky	8/16/2024	Code Enforcement
6287	6/20/2024	3913 ROSS AVE, WESTON	CV-202400065	Building Code	Enforcement Suspended	tmeverden	6/20/2024	jhiggins
6286	6/20/2024	7804 SERVICE LN, WESTON	CV-202400064	Zoning-Parking Lot	Enforcement Suspended	tmeverden	6/20/2024	cedmondson
6284	6/18/2024	5707 MOYER AVE, WESTON	CV-202400062	Parking	Monitoring	jzwicky	6/18/2024	Code Enforcement
6264	6/4/2024	4506 HOLLY AVE, WESTON	CV-202400042	Zoning-Driveways	Enforcement Suspended	tmeverden	6/4/2024	tmeverden
6223	1/4/2024	4104 SHOREY AVE, WESTON	CV-202400001	Building Code	Raze Order	rmaguire	1/4/2024	aanklam
6217	12/5/2023	3609 WESTON AVE, WESTON	CV-202300157	Zoning-Motorized Vehicle Storage	In Violation	mloveless	12/5/2023	aanklam
6123	6/27/2023	5902 STELLA AVE, WESTON	CV-202300063	Zoning-Permits/Approvals	Enforcement Suspended	jhiggins	6/27/2023	aanklam
6118	6/16/2023	5810 BUSINESS HIGHWAY 51, WESTON	CV-202300058	Building Code	In Violation	tmeverden	6/16/2023	aanklam
6067	2/14/2023	1710 ROSSENBACH AVE, WESTON	CV-202300007	Nuisances	In Violation	tmeverden	2/14/2023	aanklam
5971	9/8/2021	6202 ROSS AVE, WESTON	CV-202100084	Nuisances	Enforcement Suspended	tmeverden	9/8/2021	Code Enforcement



# CODE ENFORCEMENT ANNUAL

## REPORT

2025





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### Report Prepared By

Roman Maguire  
 Building Inspector/Building Manager  
 Village of Weston  
[rmaguire@westonwi.gov](mailto:rmaguire@westonwi.gov)  
 715-241-2619

Audrey Webster  
 Assistant Planner  
 Village of Weston  
[awebster@westonwi.gov](mailto:awebster@westonwi.gov)  
 715-241-2639





## Summary

The Code Enforcement Annual Report provides an overview of code enforcement activity in 2025 and identifies trends in property maintenance concerns within the Village of Weston. Each year, Village staff review internal code enforcement data and compare it to prior years to evaluate trends, workload, and overall program effectiveness.

The 2025 Annual Report is based on data collected between January 1, 2025, and December 31, 2025.

## 2025 Report Highlights

- **279 total complaints** were received in 2025, representing the highest annual number of complaints in program history and a 12.9% increase from 2024.  
Source: SR Count by Violation Category Report (1/1/25 - 12/31/25)
- **88.7% of cases submitted in 2025 were resolved** as of January 1, 2026. Only **24 cases** received in 2025 will be carried into 2026.  
Source: All Case Report (1/1/2025 - 12/31/2025)
- **63% of cases** in 2025 were followed up on within five (5) days of complaint receipt.
- A total of **234 overall cases were closed** in 2025.
- Based on preliminary review of complaint categories, there were **no significant changes in the types of complaints received** and **no new emerging trends** in property maintenance concerns.

## Village Code Enforcement

The need for code enforcement in the Village of Weston has existed well before the community's incorporation as a Village in 1996. Over the years, code enforcement responsibilities have been shared among multiple staff members across departments. The primary purpose of the program is to ensure compliance with Village ordinances related to zoning and property maintenance. Well-maintained properties help preserve property values, reinforce neighborhood character, and foster community pride, while poorly maintained properties can contribute to neighborhood decline and diminished quality of life.

Village code enforcement focuses on the enforcement of local ordinances that reflect Weston's community standards and neighborhood expectations. The program emphasizes education, voluntary compliance, and corrective action when necessary. It is important to note that code enforcement is separate from building, fire, and electrical code enforcement and does not address private property line disputes or civil disagreements between neighbors.





Code compliance is predominantly complaint-based; however, staff may also initiate cases while conducting routine fieldwork and other municipal duties. When a complaint is received, staff review the reported concern, determine whether a violation exists, and work collaboratively with property owners or occupants to achieve compliance.

At present, the Village does not have a dedicated full-time Code Enforcement Officer. Planning and Development staff serve as the initial clearinghouse for complaints and coordinate follow-up by routing potential violations to the appropriate department or agency, depending on the nature of the concern.

## How to Report Potential Violations

The Village of Weston encourages residents to respectfully communicate with their neighbors regarding potential concerns, when appropriate, prior to submitting a formal complaint. This approach can often resolve minor issues informally, promote mutual understanding, and help maintain positive neighborhood relationships. [The Citizen's Guide to Residential Ordinances](#) offers additional information about the Village's ordinances that pertain to residential property and explains how the Village may enforce those ordinances when applicable.

Potential code violations may be reported through the Village's website at [westonwi.gov](http://westonwi.gov) using the online reporting portal. Concerns may also be submitted by phone or email to the appropriate Village department. Providing clear and detailed information when submitting a complaint helps staff efficiently review and respond to the reported concern.

Non-emergency crime-related matters, including animal complaints, noise complaints, and similar issues, should be reported directly to the Mountain Bay Metro Police Department for proper handling, when the offence is occurring.

The screenshot shows the 'Village of Weston Code Enforcement' website. The header includes the 'evolve' logo and a 'Home' link. The left sidebar contains navigation options: Code Enforcement, Report A Violation, Case Search, Village Links, Village Website, Citizen's Guide, Nuisance Code, Evolve, Tutorial Videos, and Evolve © 2025. The main content area is titled 'Village of Weston Code Enforcement' and features the village logo with the tagline 'It's Right Here.' Below the logo is a welcome message: 'Welcome to the Village of Weston, WI website for code enforcement reporting. Code enforcement is handled by multiple departments, reports of code violations will be distributed to the appropriate department once submitted and as staff time allows. Thank you for participating in assisting your community to stay a great place to work and live.' To the right is the 'Contact Information' section, which lists the address (4747 Camp Phillips Road, Weston, WI 54476), phone (715-359-6114), fax (715-359-6117), and email (enforcement@westonwi.gov). Below this is the 'Office Hours' section, listing 'Monday to Friday 8:00am to 4:30pm'. At the bottom of the main content area are four large buttons: 'REPORT A VIOLATION', 'SEARCH FOR A CASE', 'CITIZEN'S GUIDE', and 'NUISANCE CODE'. Below these buttons is a 'Submitting Violation' section with the following text: 'To submit a tip of a code violation, you must be logged in or must create a new account, as complaints will not be taken anonymously. **Please include an email address if you would like to be kept updated on the case.** Complaints with falsified contact information or incomplete information will not be processed.' Below this is a note: 'All complaints are considered open records; however, the name and information of the complainant will be kept from public view, unless an open records request is received, processed by the Village Attorney and determined to be safe for the complainant.' At the very bottom is the 'Animal & Noise Complaints' section, which states: 'The Village does not handle animal and noise complaints. They are handled through the Mountain Bay Metropolitan Police Department (MBMPD). Please call MBMPD via their non-emergency line at 715-359-3333, at the time the noise issue is happening.'



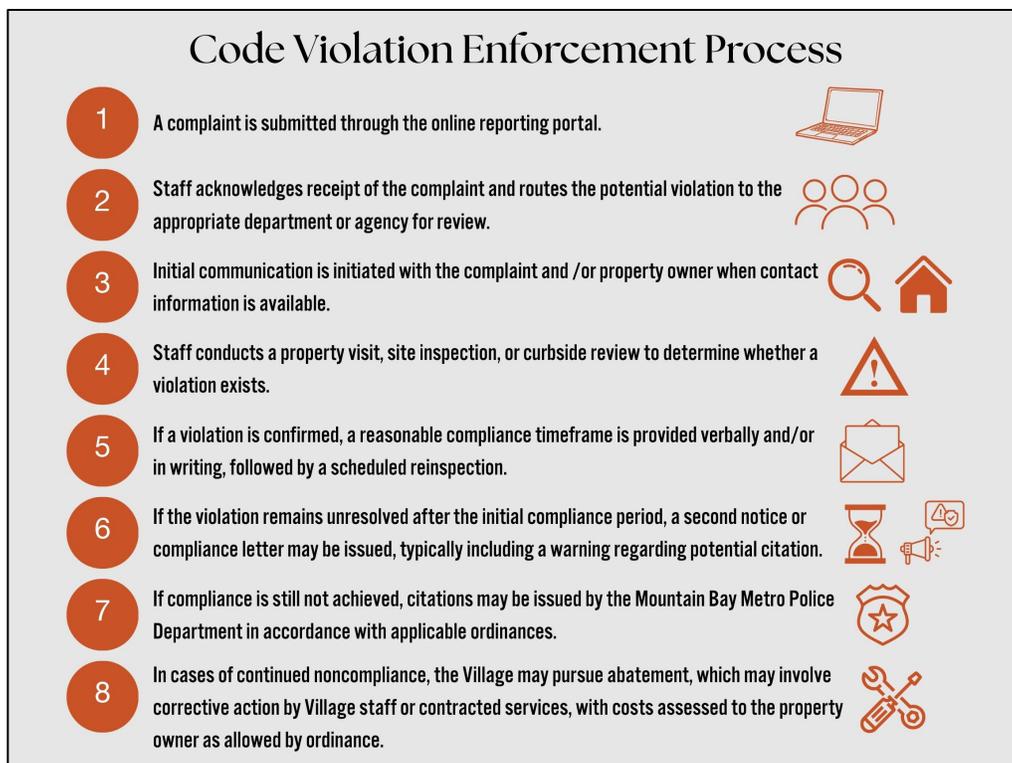
## Staffing for Code Enforcement

Prior to 2025, the Village did not have a position specifically dedicated to code enforcement. Enforcement responsibilities were shared among departments as part of broader operational duties. The creation of the Mountain Bay Metro Police Department in 2024 marked a new phase in the Village’s enforcement efforts by providing additional support for cases requiring increased attention and follow-up. Community Service Officers (CSOs), whose primary role is community engagement and school resource support, also assist the Village with code enforcement activities, particularly during the summer months when their focus shifts more heavily toward municipal support.

In 2025, an existing Planning and Development position was temporarily retitled to function as a Code Enforcement Officer and to serve as the primary point of contact for coordination with the Mountain Bay Metro Police Department on enforcement matters. However, following staff turnover, the position was ultimately reclassified back to its original role, Assistant Planner. As a result, the Village returned to a shared, interdepartmental approach to code enforcement, with Planning and Development continuing to coordinate complaints and case management in collaboration with other departments and partner agencies.

## Typical Enforcement Process

The Village follows a structured, progressive approach to code enforcement that prioritizes education, communication, and voluntary compliance before pursuing formal enforcement actions. While each case is unique and may require flexibility, the typical enforcement process generally includes the following steps:



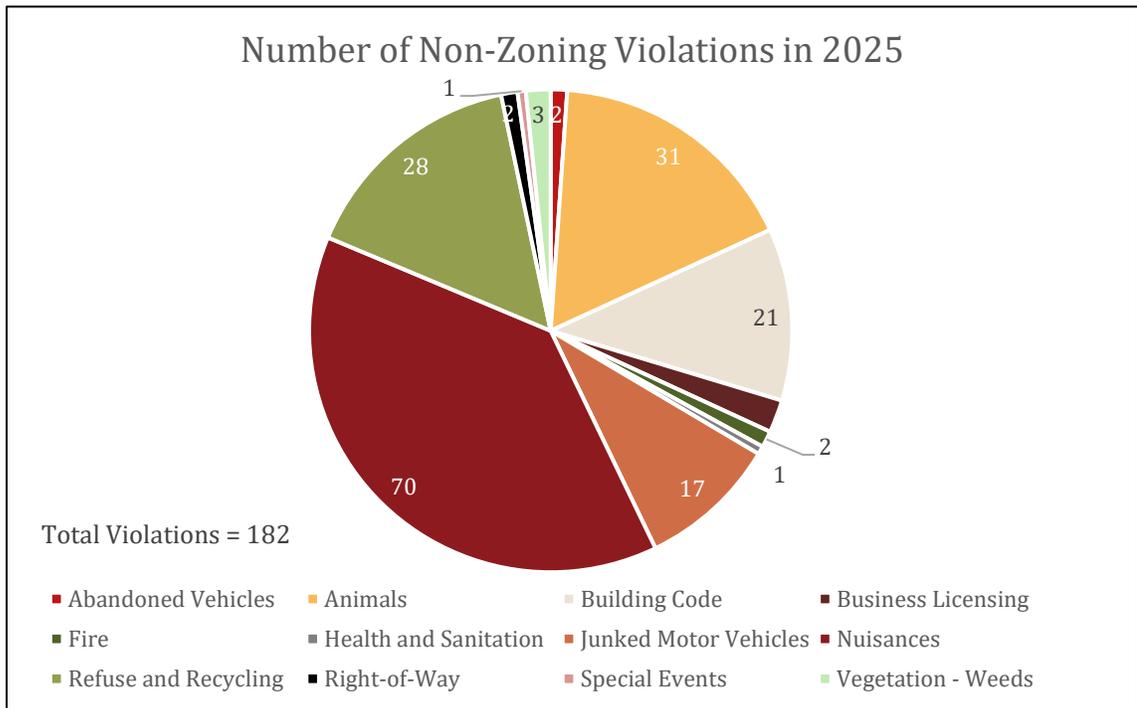


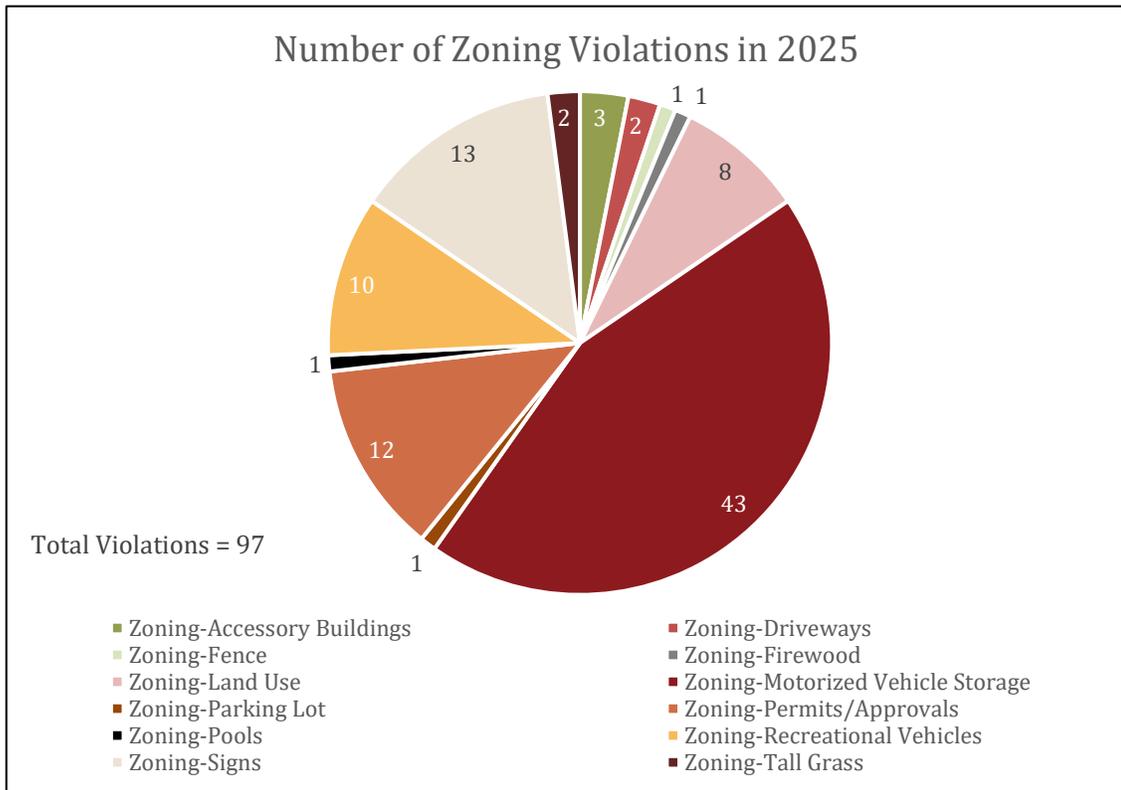
This process reflects the Village’s emphasis on achieving compliance through cooperation while maintaining the ability to escalate enforcement when necessary to protect public health, safety, and neighborhood standards.



**Record Number of Complaints**

In 2025, the Village of Weston received a record number of complaints since transitioning to the online reporting portal in 2017. A total of 279 complaints were submitted throughout the year, representing the highest annual complaint volume in the program’s history. This also marks the third consecutive year of elevated activity compared to earlier years when staffing limitations and post-pandemic operational adjustments impacted enforcement efforts.





Over the past three years, the Village received a combined total of 683 complaints, compared to 220 complaints during the four preceding years. This notable increase is largely attributed to improved reporting accessibility through the online portal, increased public awareness of the reporting process, and enhanced coordination between Village staff and partner agencies.

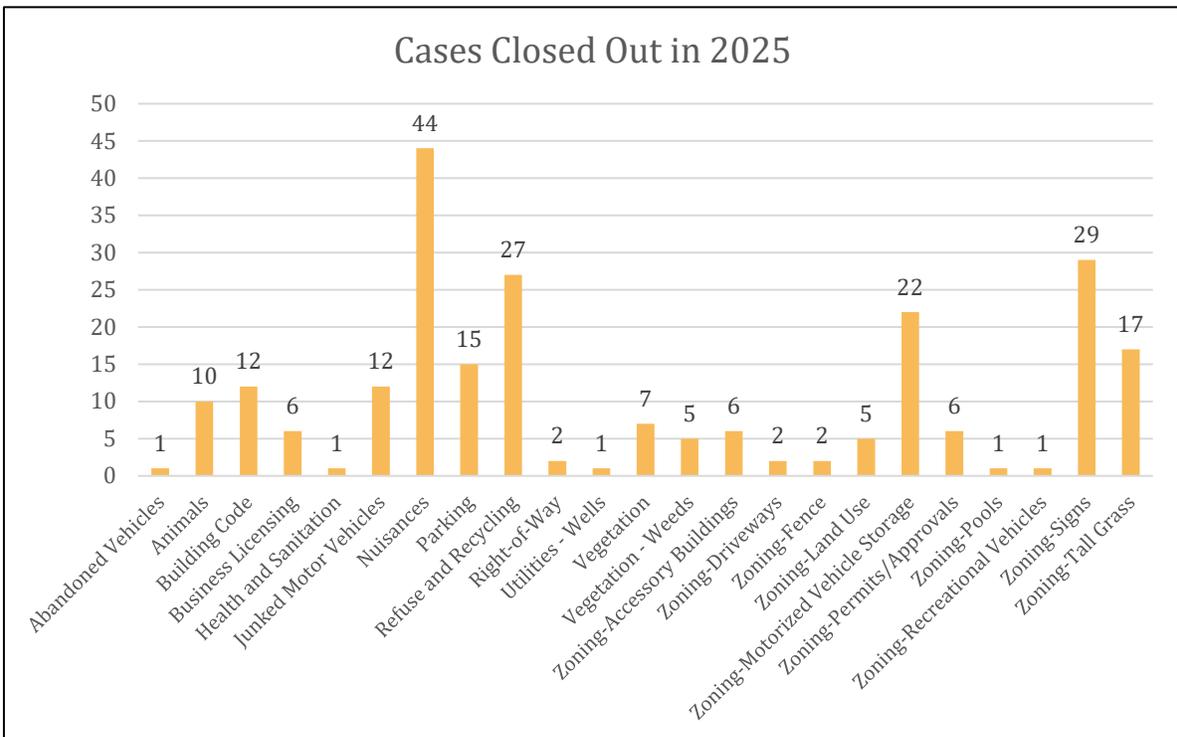




The sustained rise in complaint volume suggests that residents are more actively utilizing available reporting tools and engaging with the code enforcement process, rather than indicating a significant shift in the overall condition of properties within the community.

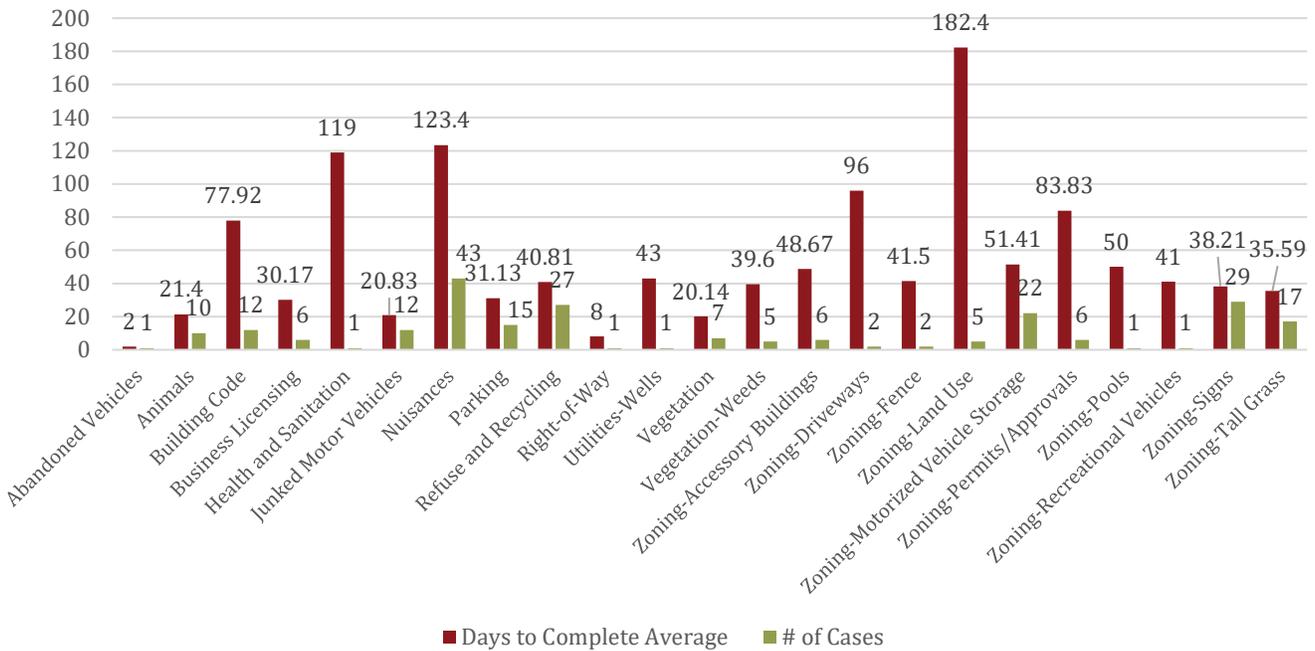
### Case Resolution

The total number of cases resolved in 2025 was 232, representing a significant increase from the 154 cases closed in 2024. This increase reflects improved coordination, enhanced follow-up efforts, and additional support through interdepartmental collaboration. The Village’s enforcement philosophy prioritizes cooperative resolution with property owners and occupants, which can result in longer timelines but typically leads to more effective and lasting compliance outcomes.



For cases resolved in 2025, the average resolution time was 59.8 days. Zoning and land use violations had the longest average resolution time, at approximately 182 days, due to the complexity of regulatory review and the need for extended compliance timelines. In contrast, abandoned vehicle cases were resolved most quickly, with an average completion time of approximately 2 days.

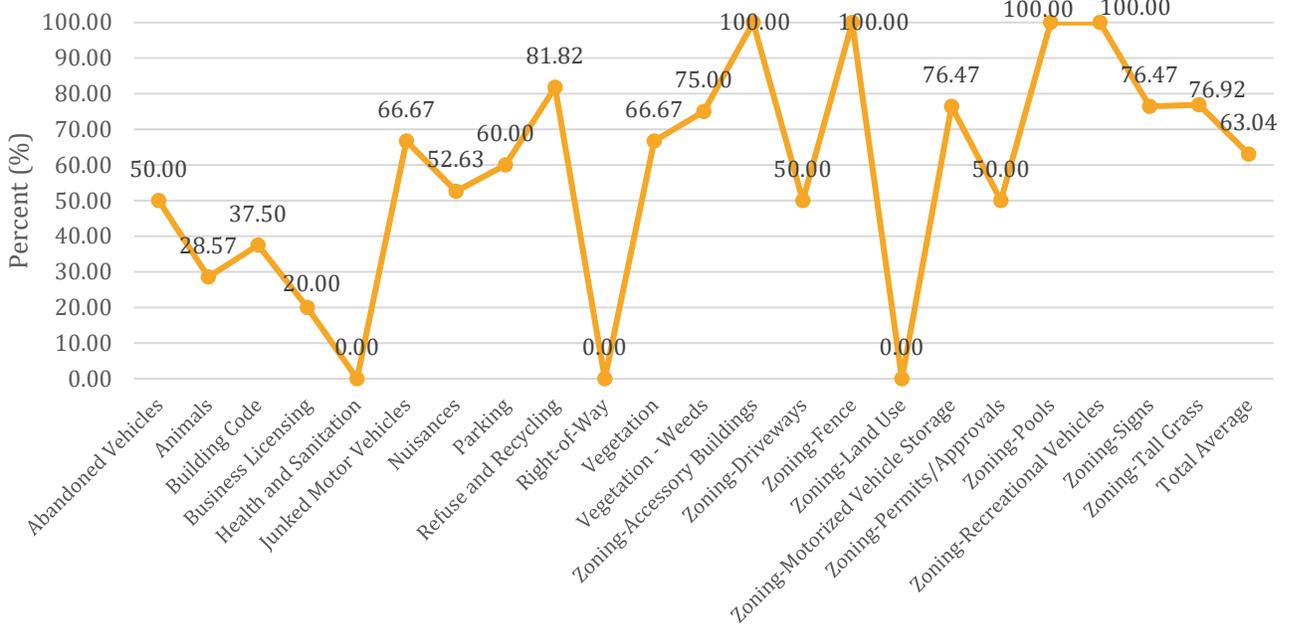
### Case Time Completion in 2025



While Village staff and the Mountain Bay Metro Police Department actively monitor and follow up on complaints, not all cases can be addressed immediately. Factors such as difficulty establishing contact, inspection scheduling, case complexity, and seasonal conditions can impact response and resolution timelines.

The Village tracks response time to the initial inspection, with a target of five (5) days or less from the receipt of a complaint. In 2025, 63% of cases met this initial response target, demonstrating consistent efforts to provide timely review while balancing workload and case complexity.

### 5 Days or Less to Case Initial Inspection Time in 2025





## Next Steps and Program Needs for 2026

The record complaint volume in 2025 indicates a continued need to strengthen the Village's code enforcement program to ensure timely response, consistent follow-up, and sustainable workload management. As activity levels increase, a focused approach to staffing, process efficiency, and data tracking will be important in maintaining service levels and program effectiveness.

One key priority for 2026 is **evaluating the long-term staffing structure** for code enforcement. The current shared, interdepartmental model has been effective but can create challenges with coordination and workload balancing. Continued collaboration with the Mountain Bay Metro Police Department will remain essential, particularly for cases requiring enforcement escalation, repeat follow-up, or abatement support.

**Process improvements** should also remain a focus, especially related to complaint intake, routing, and inspection scheduling. Refining internal workflows and prioritizing cases based on severity and community impact may help improve consistency in meeting the five-day initial inspection target while managing increased case volume.

Additionally, ongoing **public education** will support program efficiency by helping residents better understand what constitutes a code violation, how to properly submit complaints, and when concerns should be directed to other departments or agencies. Clear guidance on reporting expectations can reduce misrouted complaints and improve response coordination.

Finally, continued **refinement of data tracking and reporting practices** will allow the Village to more accurately monitor trends, response times, and resolution outcomes. Strengthening these metrics will support informed decision-making, resource planning, and long-term sustainability of the code enforcement program as demand for services continues to grow.



# REQUEST FOR CONSIDERATION

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**Public Mtg/Date:** CLPS, March 2, 2026

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**Description:** Discussion and/or action on proposed amendments to Chapter 50 Nuisances

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**From:** Audrey Webster, Assistant Planner  
Roman Maguire, Building Inspector/Building Manager  
Jami Gebert, Administrator

---

**Question:** Would the committee like to recommend potential amendments to Chapter 50 Nuisances to the Board of Trustees?

---

## Background

Attached is a second draft of revisions to the entire Chapter 50 Nuisances and below is an excerpt from the draft January 5, 2026, meeting minutes.

### ***Discussion and/or action on proposed amendments to Chapter 50 Nuisances***

*Gebert referred to the draft ordinance amendments in the packet.*

*Olson questioned if when we worked through the animal ordinance if we changed “excreta”, as far as is there is a consistency-thing that we should be looking at. Gebert stated this is something we could potentially remove from Chapter 50, as she believe excreta or feces is covered in Chapter 10. Higgins stated we could just remove the text and make reference to Chapter 10. Olson agrees we should use the same terminology on these word references.*

*Clark commented on 51.102.5 height clearance for tree limbs, where it states the height over the sidewalk can be 14 feet and the height over the road is 10 feet, she feels it should be the other way around.*

*Dolan suggested the taller height should be for the road.*

*Clark questioned the charge on mowing grass, and how we figure out the charge if a person would like to make an appeal. She does not understand why we would charge someone to come in and make an appeal.*

*Gebert explained Attorney Yde’s perspective is that there is some cost for us doing the enforcement. Also, if there is a fee involved provides some incentive or buy-in from the property owner to appeal against the decision that the grass needs to be mowed. It was stated that these citations are tied to a timeframe, and how these can’t wait for the next regular CLPS meeting, where a special meeting would be called.*

*Beck questioned the “No Mow May” instances, and how we require a lawn no taller than 8”. Higgins stated we typically do not start enforcing that until June.*

*Olson commented on height for utility wires and cables. Higgins stated can move those to 14 feet and will also check with Wodalski, and will bring back next month.*

*Beck feels like bringing this back next month would be helpful.*

# REQUEST FOR CONSIDERATION

***Motion by Olson, second by Beck: to bring back this item in March.***

Yes Vote: 6    No Votes: 0    Abstain: 0    Not Voting: 1    Result: PASS

The attached second draft is again presented first with track changes, to demonstrate where changes occurred, and then without track changes for ease in reading.

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**Attached Docs:**        **Second draft amendments to Chapter 50 Nuisances with track changes.**  
                                 **Second draft amendments to Chapter 50 Nuisances without track changes.**

---

**Committee Action:**    **Noted in RFC.**

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**FISCAL IMPACT:**        **None.**

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**Recommendation:**    **None.**

## Recommended Language for Official Action

**I move to recommend approval of the ordinance amendments to Chapter 50 Nuisances to the Board of Trustees.**

**I move to bring back Chapter 50 Nuisances to the next CLPS meeting for additional review.**

**Or something else . . .**

---

VILLAGE OF WESTON  
ORDINANCE NO. 26 –

AN ORDINANCE AMENDING CHAPTER 50 NUISANCE OF THE MUNICIPAL CODE FOR  
THE VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

NOW THEREFORE, be it ordained by the Board of Trustees of the Village of Weston, in the State of Wisconsin, as follows:

SECTION 1: AMENDMENT “Chapter 50 Nuisance” of the Village of Weston Municipal Code is hereby amended as follows:

AMENDMENT

**Sec 50.100 ~~Things Prohibited~~Public Nuisances Prohibited.**

~~No person, shall erect, contrive, cause, continue, maintain, or permit to exist any public nuisance within the Village.~~

~~The following acts, omissions, places, conditions and things are declared to be public nuisances affecting peace and safety; but such enumeration shall not be construed to exclude other nuisances affecting public peace or safety coming within other provisions of this Code:~~

- ~~1. All signs and billboards, awnings and other similar structures over or near streets, sidewalks, public grounds or places frequented by the public so situated or constructed as to endanger the public's safety.~~
- ~~2. All buildings erected, repaired or altered within the fire limits in violation of the provisions of ordinances relating to materials and manner of construction of buildings and structures within that district.~~
- ~~3. All unauthorized signs, signals, markings or devices placed or maintained upon or in view of any public highway or railway crossing which purport to be or may be mistaken as an official traffic control device, railroad sign or signal or which because of its color, location, brilliance or manner of operation interferes with the effectiveness of any such device, signal or sign.~~
- ~~4. All trees, hedges, billboards or other obstructions which prevent persons driving vehicles on public streets, alleys or highways from obtaining a clear view of traffic when approaching an intersection or pedestrian crosswalk.~~
- ~~5. All limbs of trees which project over and less than 14 feet above the surface of a public sidewalk or street or less than ten feet above any other public place.~~
- ~~6. All buildings or structures so old, dilapidated or out of repair as to be dangerous and unsafe, unsanitary or otherwise unfit for human use.~~
- ~~7. All abandoned and wrecked or dilapidated motor vehicles, buses, railroad cars and house trailers.~~
- ~~8. All wires over streets, alleys or public grounds which are strung less than 13 feet above the surface.~~
- ~~9. All loud, discordant and unnecessary noises or vibrations of any kind which tend to cause or create a disturbance.~~
- ~~10. All obstructions of and excavations in or under streets, alleys, sidewalks or crosswalks, except as permitted by ordinance or which, although being in accordance with ordinance, are kept or maintained for an unreasonable or illegal length of time after their purpose has been accomplished.~~

- ~~11. All open and unguarded pits, wells, excavations or unused basements freely accessible from any public street, alley or sidewalk.~~
- ~~12. All piles of dirt, wood rubble, rocks or yard waste located upon any property within the Village of Weston with the following exceptions:
  - ~~a. Dirt, wood or lumber which is being actively used in connection with an ongoing construction project.~~
  - ~~b. The storage of topsoil, fill material or lumber on the premises of a lumberyard, contract or storage yard or similar type establishment providing such business is a permitted use under the village zoning code.~~
  - ~~c. The temporary storage of dirt, wood or lumber for a period not exceeding 90 days following the completion of a private subdivision development or construction project. In the event such material is not completely removed from the premises within 90 days by the owner of the property or the contractor responsible for the construction, the village shall cause the material to be removed with all costs associated with said removal to be assessed against the owner's property as a special charge pursuant to Wis. Stats. § 66.0701.~~~~

(Code 1982, § 4.156(1); Ord. of 10-16-2000(2), § 1)

HISTORY

Amended by Ord. [Chapter 50 Sec 50.100 \(12\)](#) on 10/28/2000

Amended by Ord. [16-030](#) on 6/8/2016

#### **Sec 50.101 Other Prohibited Nuisances Public Nuisances Defined**

A public nuisance is a thing, act, occupation, condition, or use of property which shall continue for such length of time as to:

1. Substantially annoy, injure, or endanger the comfort, health, repose, or safety of the public.
2. In any way render the public insecure in life or in the use of property.
- 4-3. Unlawfully and substantially interfere with, obstruct, or tend to obstruct or render dangerous for passage any street, alley, highway, navigable body of water or other public way or the use of public property.

~~In addition to the acts, omissions, places, conditions and things declared to be public nuisances affecting peace and safety in Sec. 50.100, the following are declared to be a public nuisance:~~

- ~~1. All abandoned refrigerators, iceboxes and other containers having airtight doors or covers from which the doors or other covers have not been removed or which are not equipped with a device for opening from the inside.~~
- ~~2. Any unauthorized or unlawful use of property abutting on a public street, alley or sidewalk or of a public street, alley or sidewalk which causes large crowds of people to gather obstructing traffic and free use of the streets or sidewalks.~~
- ~~3. Repeated or continuous violations of the ordinances of the village or the laws of the state relating to the storage of flammable liquids.~~

(Code 1982, § 4.156(3))

HISTORY

Amended by Ord. [16-030](#) on 6/8/2016

#### **Sec 50.102 Public Nuisances Affecting Peace and Safety**

The following acts, omissions, places, conditions and things are hereby declared to be public nuisances affecting peace and safety, but such enumeration shall not be construed to exclude

other nuisances affecting public peace or safety coming within other provisions of this code the definition of Sec 50.101 of this chapter:

1. **Signs, Billboards, etc.** All signs and billboards, awnings and other similar structures over or near streets, sidewalks, public grounds or places frequented by the public, so situated or constructed as to endanger the public safety.
2. **Illegal Buildings.** All buildings erected, repaired or altered in violation of the provisions of this Code relating to materials and manner of construction of buildings and structures within the Village.
3. **Unauthorized Traffic Signs.** All unauthorized signs, signals, markings or devices placed or maintained upon or in view of any public highway or railway crossing which purport to be or may be mistaken as an official traffic control device, railroad sign or signal or which because of its color, location, brilliance or manner of operation interferes with the effectiveness of any device, sign or signal.
4. **Obstruction of Intersections.** All trees, hedges, billboards or other obstructions which prevent persons driving vehicles on public streets, alleys or highways from obtaining a clear view of traffic when approaching an intersection or pedestrian crosswalk.
5. **Tree Limbs.** All limbs of trees which project over and less than 1440 feet above any public sidewalk or less than 1043½ feet above a street or other public place.
6. **Dangerous Trees.** All trees which are injurious to public health or safety because of a diseased or damaged condition; and the storage of cut elm wood, unless such wood is debarked or sprayed with an effective elm bark beetle destroying insecticide.
7. **Fireworks.** All use or display of fireworks except as provided by the laws of the State and this Code.
8. **Dilapidated Buildings.** All buildings or structures so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human use.
9. **Wires and Cables Over Streets.** All wires and cables over streets, alleys or public grounds which are strung less than 1348 feet above the surface thereof.
10. **Noisy Animals or Fowl.** The keeping or harboring of any animal or fowl which by frequent or habitual howling, yelping, barking, crowing or making of other noises shall greatly annoy or disturb a neighborhood or any considerable number of persons within the Village.
11. **Obstructions of Streets: Excavations.** All obstructions of streets, alleys, sidewalks or crosswalks and all excavations in or under the same, except as permitted by this Code or which, although made in accordance with this Code, are kept or maintained for an unreasonable or illegal length of time after the purpose thereof has been accomplished, or do not conform to the permit.
12. **Unlawful Assembly.** Any unauthorized or unlawful use of property abutting on a public street, alley or sidewalk or of a public street, alley or sidewalk which causes large crowds of people to gather, obstructing traffic and free use of the streets or sidewalks.  
~~Snow, Ice and Debris Removal. All debris not removed, and all snow and ice not removed or sprinkled with salt, ashes, sawdust or sand, as provided in section 8.05 of this Code.~~
13. **Refrigerators.** All abandoned refrigerators or iceboxes from which the doors and other covers have not been removed or which are not equipped with a device for opening from the inside.
14. **Open Pits, Basements, etc.** All open and unguarded pits, wells, excavations and basements.
15. **Flammable Liquids Violations.** Repeated or continuous violations of this Code or the laws of the State relating to the storage of flammable liquids.

**Sec 50.10~~32~~ Property Maintenance Code**

~~4.~~ **Title.** This section shall be known as "The Property Maintenance Code," and may be referred to in this section as "this code."

~~1.~~

2. **Findings and declaration of Policy.** It is hereby found and declared that there exist, in the Village, structures used for residential and nonresidential use which are, or may become in the future, substandard with respect to structure, equipment or maintenance or further, that such conditions, including, but not limited to, structural deterioration, lack of maintenance and appearance of exterior of premises, infestation and existence of fire hazards constitute a menace to the health, safety, morals, welfare and reasonable comfort of the citizens of the Village. It is further found and declared that, by reason of lack of maintenance and because of progressive deterioration, certain properties have the further effect of creating blighting conditions and initiating slums, and that if the same are not curtailed and removed, these conditions will grow and spread and will necessitate the expenditure of large amounts of public funds to correct and eliminate such conditions, that by reason of timely regulations and restrictions contained in this code, the desirability and amenities of residential and nonresidential uses and neighborhoods may be enhanced and the public health, safety and welfare protected and fostered.
3. **Purpose.** The purpose of this code is to protect the public health, safety, morals and welfare by establishing minimum standards governing the maintenance, appearance and condition of residential and nonresidential premises; to fix certain responsibilities and duties upon owners and operators and distinct and separate responsibilities and duties upon occupants; to authorize and establish procedures for the inspection of residential and nonresidential premises; and to provide for the repair, demolition or vacation of premises unfit for human habitation, occupancy or use.

~~It is recognized that there may now be, or may in the future be, residential and nonresidential buildings, structures, yards or vacant areas and combinations thereof which are so dilapidated, unsafe, dangerous, unhygienic, overcrowded, inadequately maintained or lacking in basic equipment or facilities, light, ventilation and heating so as to constitute a menace to the health, safety, and general welfare of the people. The establishment and enforcement of minimum housing and property maintenance standards is necessary to preserve and promote the private and public interest of the community.~~

- ~~4.~~ **Rules and Definitions.** The following words and terms, wherever used herein or referred to in this code, shall have the respective meanings assigned to them unless a different meaning clearly appears from the context. ~~Words used in the present tense shall include the future. Words used in the singular number shall include the plural number, and the plural the singular. The word "shall" is mandatory and not discretionary. The word "may" is permissive. The phrase "used for" shall include the phrases "arranged for," "designed for," "intended for," "maintained for," and "occupied for."~~

- ~~5.~~ **Adequate.** "Adequate" shall mean adequate as determined by the Building Inspector or their designee under the regulations of this chapter or adequate as determined by an authority designated by law or this chapter. "Adequately" shall mean the same as adequate.

~~Apartment. "Apartment" means one (1) or more rooms with provisions for living, cooking, sanitary and sleeping facilities arranged for use by one (1) family.~~

~~Approved. "Approved" shall mean approved by the Building Inspector or their designee under the regulations of this chapter or approved by an authority designated by law or this chapter.~~

~~Attractive Appearance. "Attractive appearance" refers to the exterior appearance of buildings, structures, stairs, porches, and similar appurtenances and the improvement, planting and landscaping of yards and vacant areas. The determination of "attractive"~~

used herein shall be as determined by the Building Inspector under the regulations of this chapter or as determined by an authority designated by law or this chapter.

**Basement.** "Basement" means that portion of a dwelling between floor and ceiling which is below or partly below and partly above grade but so located that the vertical distance from the grade to the floor below is more than the vertical distance from grade to ceiling.

**Blighted Property.** "Blighted property" means any property, on which there exists any one or more of the following conditions or activities, is a blighted property for purpose of this chapter:

**Abandoned building or structure.**

A building or structure which is not occupied, inhabited, used, or secured. For purposes of this Chapter, a building or structure is unsecured when it is unlocked or the public can gain entry without the consent of the owner.

Any partially constructed, reconstructed or demolished building or structure upon which work is abandoned. Work is deemed abandoned when there is no valid and current building or demolition permit or when there has not been any substantial work on the project for six months.

**Attractive Nuisance.** Property which is in an unsecured state so as to potentially constitute an attraction to children, a harbor for vagrants, criminals, or other unauthorized persons, or so as to enable persons to resort thereto for the purpose of committing a nuisance or unlawful act.

**A Building or Structure which is in a State of Disrepair.**

Any building or other structure which by reason of rot, weakened joints, walls, floors, underpinning, roof, ceilings, or insecure foundation, or other cause has become dilapidated or deteriorated.

Any building or other structure with exterior walls and /or roof coverings which have become so deteriorated as to not provide adequate weather protection and be likely to, or have resulted in, termite infestation or dry rot.

Buildings or structures with broken or missing windows or doors which constitute a hazardous condition or a potential attraction to trespassers. For purposes of this chapter "window" shall include any glazed opening, including glazed doors, which upon a yard, court, or vent shaft open unobstructed to the sky.

Buildings or structures including, but not limited to, walls, windows, fences, signs, retaining walls, driveways, or walkways which are obsolete, broken, deteriorated, or substantially defaced to the extent that the disrepair visually impacts on neighboring property or presents a risk to public safety. For purposes of this chapter "defaced" includes, but is not limited to, writings, inscriptions, figures, scratches, or other markings commonly referred to as "graffiti" and peeling, flaking, blistering, or otherwise deteriorated paint.

**Property Inadequately Maintained.**

Property which is not kept clean and sanitary and free from all accumulations of offensive matter or odor including, but not limited to, overgrown or dead or decayed trees, weeds or other vegetation, rank growth, dead organic matter, rubbish, junk, garbage, animal intestinal waste and urine, and toxic or otherwise hazardous liquids and substances and material. For the purposes of this section the term "rubbish" shall include combustible and noncombustible waste materials, except garbage; and the term shall also include the residue from the burning of wood, coal, coke, and other combustible material; and the term shall also include paper, rags, cartons, boxes, wood,

~~excelsior, rubber, leather, tree branches, yard trimmings, hay, straw, tin cans, metal, mineral matter, glass, crockery, and dust; and the term shall also include animal feed and the products of and residue from animal quarters.~~

~~Property which constitutes a fire hazard or condition considered dangerous to the public health, safety, and general welfare.~~

~~Property which is likely to or does harbor rats or other vectors, vermin, feral pets, or other non-domesticated animal nuisances.~~

- ~~6. Property which substantially detracts from the aesthetic and economic values of neighboring properties including, but not limited to, personal property and wares and foodstuffs, premises garbage and refuse receptacles, and commercial and industrial business activities which are inadequately buffered from any street, sidewalk, or other publicly trafficked area or such buffering which is inadequately maintained.~~

~~4.~~

~~a. Landscaping which is inadequately maintained or which is not installed as required by village codes or any permit issued in accordance with such codes.~~

~~b. Matter including, but not limited to, smoke, odors, dust, dirt, debris, fumes, and sprays which is permitted to be transported by wind, or otherwise upon any street, course, alley, sidewalk, yard, park, or other public or private property and which is determined to be a violation of federal, state, regional, or local air quality regulations.~~

~~c. Property including, but not limited to, building façade, window, doorway, driveway, walkway, fence, wall, landscaped planter or area, sidewalk, curb and gutter, and edge of street pavement on which dirt, litter, vegetation, garbage, refuse, debris, flyers, or circulars have accumulated.~~

~~d. Property on which a swimming pool, pond, stream or other body of water which is abandoned, unattended, unfiltered, or not otherwise maintained, resulting in the water becoming polluted. "Polluted water" is defined for the purpose of this chapter, as water which contains bacterial growth, remains of garbage, refuse, debris, papers and any other foreign matter or material which constitutes an unhealthy or unsafe condition.~~

~~e. Parking lots, driveways, paths, and other areas used or intended to be used for commercial and industrial business activities including, but not limited to, dismantling, processing, transferring, handling, transporting, storing, compounding, or assembling which are inadequately maintained and pose a risk of harm to public health or safety including, but not limited to, unpaved surfaces which generate fugitive dust and paved surfaces with cracks, potholes, or other breaks.~~

~~f. Property on which recyclable materials are openly stored. For the purposes of this chapter, "open storage" means storage on private property other than in a completely enclosed building. Materials shall be deemed to be held in "open storage" even though screened from public view, or view of residents of adjacent property, by a fence or other such partition.~~

~~g. Property which is not securely fenced or adequately lighted to prevent illegal access and activity related to the dumping of garbage, waste, debris and litter. "Recyclable materials" includes any materials, goods, vehicles, machinery, appliances, product or article, new or used, which is suitable for reuse.~~

~~h. Property Which Creates a Dangerous Condition.~~

~~i. Property having a topography, geology, or configuration which, as a result of grading operations, erosion control, sedimentation control work, or other improvements to said property, causes erosion, subsidence, unstable soil conditions, or surface or~~

~~subsurface drainage problems as to harm or pose a risk of harm to adjacent properties.~~

- ~~j. Property where on any condition or object obscures the visibility of public street intersections to the public so as to constitute a hazard, including but not limited to, landscaping, fencing, signs, posts, or equipment.~~
- ~~k. Conditions which due to their accessibility to the public pose a hazard including, but not limited to, unused and broken equipment, abandoned wells, shafts, or basements, hazardous or unprotected pools, ponds, or excavations, structurally unsound fences or structures, machinery which is inadequately secured or protected, lumber, trash, fences or debris that may pose a hazard to the public, storage of chemicals, gas, oil, or toxic or flammable liquids.~~
- ~~l. Boarding House: See Lodging House and Lodging Room.~~
- ~~m. Building. "Building" means a combination of materials to form a construction that is safe and stable, and adapted to permanent or continuous occupancy for assembly, business, education, high hazard, industrial, institutional, mercantile, residential, or storage purpose; the term "building" shall be construed as if followed by the words "or portion thereof." For the purpose of this CODE each portion of a building completely separated from other portions by an unpierced fire wall shall be considered as a separate building.~~
- ~~n. Compliance Inspection. An inspection performed in conjunction with a lawful order of the Chairperson of the Community Life and Public Safety Committee, Village Administrator, Chief of Police, Village Fire Inspector, Zoning Administrator, Property Inspector or Building Inspector or their designees for the purpose of certifying the fulfillment of an official requirement listed in the order.~~
- ~~o. Cooperative Living Arrangement. A "cooperative living arrangement" shall mean a collective number of individuals connected by membership in a cooperative, who equally share ownership, occupancy and control of a dwelling and who live, cook and share expenses as a bona fide single housekeeping unit. For the purposes of determining the applicability of the Village of Weston Municipal Code relating to construction and maintenance of buildings, a building occupied by a cooperative living arrangement shall be construed to be a lodging house and shall meet all the requirements of same, except where an exception is explicitly provided in the ordinances.~~
- ~~p-a. Deterioration. The condition of a building or part thereof characterized by holes, breaks, rot, crumbling, peeling, rusting or other evidence of physical decay or neglect, lack of maintenance or excessive use. All exterior wood and composition surfaces shall be properly protected from the elements and against decay by paint, stain or other protective coating and applied in a workmanlike manner.~~
- ~~q. Dwelling. "Dwelling" is a place of abode, a residence or house for use by one (1) or more persons, excluding hotels or motels.~~
- ~~r. Dwelling Unit. "Dwelling unit" means one (1) or more rooms with provisions for living, cooking, sanitary, and sleeping facilities arranged for use by one (1) family.~~
- ~~s. Elements. Any element, whether created by nature or by man, which, with reasonable foreseeability could carry litter from one place to another. Elements shall include, but not be limited to, air current, rain, water current and animals.~~
- ~~b.~~
- ~~t. Exposed to Public View. Any premises, or any part thereof, or any building, or any part thereof, which may be viewed by the public.~~

- c. Exterior of the Premises. Open space on the premises outside of any building thereon.
- d. Extermination. "Extermination" shall mean the control or elimination of insects, rodents and vermin infestation by eliminating harboring places and removing or making inaccessible materials that may serve as food, and by poisoning, spraying, trapping, fumigation by a licensed fumigator or any other effective elimination procedure.
- f. Garbage. Decayed and decomposed animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food. (See also Refuse and Rubbish).
- g. Infestation. The presence of insects, rodents, vermin or other pests on the premises, which constitute a health hazard.
- h. Litter. Includes any uncontainerized man-made or man-used waste which, if deposited within the Village otherwise than in a litter receptacle, tends to create a danger to public health, safety and welfare or to impair the environment of the citizens of the Village. Litter may include, but is not limited to, any garbage, trash, refuse, confetti, debris, grass clippings, leaves or other lawn or garden waste, newspaper, magazine, glass, metal, plastic or paper container or other construction material, motor vehicle part, furniture, appliances, oil, carcass of a dead animal or nauseous or offensive matter of any kind or any object likely to injure any person or create a traffic hazard.
- i. Mixed Occupancy. Any building containing one or more dwelling units or rooming units and also having a portion thereof devoted to nondwelling uses or used as a hotel.
- j. Nuisance.
  - i. Any public nuisance, as defined by statute or this Chapter.
  - ii. Physical conditions dangerous to human life or detrimental to health of persons on or near the premises where the conditions exists.
- k. Operator. Any person who has charge, care or control of a dwelling or premises, or part thereof, in which dwelling units or lodging rooms are located or let, whether with or without the knowledge and consent of the owner.
- l. Owner. The term "owner" shall mean every person, firm, partnership, or any individual member thereof, corporation, business organization of any kind, the state, the country, the village, any sewer district, drainage district, the University of Wisconsin and any associated corporation or organization, and any other public or quasi-public corporation having a legal or equitable interest in the property under consideration and shall include the representative, officer, agent or other person having the ownership, control, custody or management of any building. Owner does not include any person whose legal or equitable interest in the building is a security interest derived solely from the extension of credit to permit construction or remodeling of the dwelling or purchase of the dwelling by a third party.
- m. Park. A public or private park, reservation, playground, beach, recreation center or any public park private area devoted to active or passive recreation or any other area under the supervision of the Village.
- n. Premises. A lot, plot or parcel of land, including the buildings or structures thereon.

- o. Private Premises. Any dwelling, house, building, or other structure designed to be used, either wholly or in part, for private residential purposes, whether inhabited or grounds, walk, driveway, porch, steps, vestibule, mailbox or other structure belonging or appurtenant to such dwelling house, buildings or other structure.
- p. Public Place. All streets, boulevards, avenues, lanes, alleys or other public ways and parks, squares, plazas, grounds and buildings frequented by the general public, whether publicly or privately owned.
- q. Refuse. All decayed and decomposed solid waste, except body wastes, including, but not limited to, garbage, rubbish, ashes, dead animals, abandoned automobiles and solid wastes. (See also Garbage and Rubbish)

**5. Applicability.** Every residential, nonresidential or mixed occupancy building and the land on which it is situated, used or intended to be used for dwelling, manufactured home park, commercial, business or industrial occupancy shall comply with the provisions of this code, whether or not such building shall have been constructed, altered or repaired before or after the enactment of this code.

**6. Duties and Responsibilities of Owners and Operators.**

- a. Maintenance of Exterior of Premises. The exterior of the premises and all structures thereon shall be kept free of all nuisances and any hazards to the safety of the occupant, pedestrians, or any other person utilizing the premises, and free of unsanitary conditions. Any of the foregoing shall be promptly removed and abated by the owner or operator. It shall be the duty of the owner or operator to keep the premises free of hazards, which include, but are not limited to, the following:
  - i. Refuse, such as brush, weeds, yard waste, broken glass, stumps, obnoxious growths, filth, garbage, trash and debris.
  - ii. Natural growth, such as dead and dying trees and limbs or other natural growth, which, by reason of rotting or deteriorating conditions or storm damage, constitute a hazard to persons in the vicinity. Trees shall be kept pruned and trimmed to prevent such conditions.
  - iii. Overhangs, such as loose and other hanging objects, which, by reason of location above ground level, constitute a danger of falling on the persons in the vicinity.
- b. The exterior of the premises, the exterior of structures and the condition of accessory structures shall be maintained so that the appearance of the premises and structures shall not constitute a blighting factor.
- c. All exterior property areas shall be properly maintained in a clean and sanitary condition free from debris, rubbish or garbage, physical hazards, rodent harborage and infestation, and animal feces. All animal feces shall be removed per Weston Municipal Code Sec. 10.129(a) or Sec. 10.130.
- d. Storage of Commercial and Industrial Material. There shall not be stored or used at any location visible from the sidewalk, street or other public areas, equipment and materials relating to commercial or industrial use unless permitted under the Village of Weston Municipal Code, Chapter 94 for the premises.
- e. General Maintenance. The exterior of every commercial structure or accessory structure, except accessory farm structures, including fences or enclosures, shall be maintained in good repair. The same shall be maintained free of broken glass, loose shingles, crumbling stone or brick, excessive peeling paint, loose boards or other conditions reflective of deterioration or inadequate maintenance to the end that the

property itself may be preserved, safety and fire hazards eliminated and adjoining properties protected from blighting influences.

## 7. Litter Control.

- a. Litter Collections and Storage Area. Every owner, occupant or lessee of a building used for residential, business or commercial purposes shall maintain litter collection and storage areas in a clean condition and insure that all litter is properly containerized. Failure to so maintain clean litter collection and storage areas shall constitute a violation of this subsection.
- b. Duty to Collect Litter Before it is Carried From the premises. All litter that is subject to movement by the elements shall be secured by the owner of the premises where it is found before the litter is allowed to be removed from the premises by the elements.
- c. Neglected Premises Visible to the Public. It shall be the duty of any person owning or controlling any premises, including vacant lots visible from any public place or private premises, to maintain such premises in a reasonable clean and orderly manner. It shall be a violation of this subsection to abandon, neglect or disregard the condition or appearance of any premises so as to permit it to accumulate litter.
- d. Areas Around Business Premises. The owner or person in control of any public place, including, but not limited to, restaurants, shopping centers, fast food outlets, stores, hotels, motels, industrial establishments, office buildings, apartment buildings, housing projects, gas stations and hospital and clinics shall at all times keep the premises clean of all litter and shall take measures, including daily cleanup of the premises, to prevent litter from being carried by the elements to adjoining premises. It shall be a violation of this subsection to abandon, neglect or disregard to the condition or appearance of such premises so as to permit it to accumulate litter.
- e. Loading and Unloading Docks. The person owning, operating or in control of loading or unloading docks shall at all times maintain the dock area free of litter in such a manner that litter will be prevented from being carried from the premises by the elements.

## 7-8. Construction Sites.

- ~~a.~~ Loading and Unloading Docks. The person owning, operating or in control of loading or unloading docks shall at all times maintain the dock area free of litter in such a manner that litter will be prevented from being carried from the premises by theConstruction Sites. The property owners and the prime contractors in charge of any construction site shall maintain the construction site in such a manner that litter will be prevented from being carried from the premises by the elements. All litter from construction activities or any related activities shall be picked up at the end of each workday and placed in containers, which will prevent litter from being carried from the premises by the elements.
- ~~a-b.~~ Maintaining Sidewalks and Alleys. Persons owning, occupying or in control of any premises shall keep the sidewalks and alleys adjacent thereto free of litter. Owners or occupants shall sweep or rinse off the sidewalks abutting their premises as often as may be required to keep the walk reasonably free from dirt, paper, waste, snow and ice. This paragraph shall not apply to sidewalks maintained by the Village as provided in the Village of Weston Municipal Code, Chapter 70.
- ~~b-c.~~ Abandoned Garbage. It shall be unlawful for any person who is in control of any premises upon which is located or on whose behalf there is maintained any container of refuse, waste or garbage, which has been containerized in accordance with a

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contract for its removal, to allow that refuse, waste or garbage to remain uncollected for longer than 7 days or, in any case, until after that refuse, waste or garbage creates any condition which is offensive to persons upon any private premises or public place.

9. Animal Feces.

a. Village of Weston Municipal Code, Chapter 10 Animals Sec 10.128

10. Lawn and Yard Maintenance.

a. Definitions. The terms used herein are defined as follows.

~~11.~~ Turf Grass. Grass commonly used in regularly cut lawns or play areas such as, but not limited to, blue grass, fescue and rye grass blends.

i. **b.** General Requirements. The owner or occupant of any developed commercial lot or parcel in the Village and any developed residential lot or parcel in the Village which is less than 2 acres in area shall install and maintain landscaping, plantings and other decorative surface treatments, including turf grass, so as to present an attractive appearance in all court and yard areas in accordance with generally accepted landscaping practices in north central Wisconsin. For all new residential construction in the Village, lawns shall be installed within 1 (one) year of the occupancy issuance date. For all new commercial and industrial construction, landscaping and lawn shall be installed 18 (eighteen) months from the issuance of the building permit. Lawns shall be maintained to a length not to exceed 8 (eight) inches and property owners shall be responsible for mowing the lawn all the way to the street. Plantings and established lawns shall be maintained so as not to present hazards to adjoining properties or to persons or vehicles traveling on public ways and shall be maintained so as to enhance the appearance and value of the property on which located and thereby the appearance and value of the neighborhood and the Village.

ii. Mowing required. Lawns which exceed eight (8) inches in length adversely affect the public health and safety, including, but not limited to, producing hay fever, emitting pollen and other discomforting bits of plants, concealing filthy deposits, providing a place for the accumulation of trash or litter, creating a fire hazard and adversely affecting property values within the Village. For these reasons, any lawn which exceeds eight (8) inches in length is hereby declared to be a public nuisance. In order to prevent such public nuisance, it shall be the duty of every person who owns, occupies or controls land within the Village to mow or cause to be mowed said lawn so that it never exceeds eight (8) inches in length. This mowing requirement does not apply to those portions of a lot or parcel that are located in a designated flood plain, wetland area, or undeveloped lot; however, where public sidewalks or multi-use paths are present, the property owner shall mow, or cause to be mowed, the portion of the lawn from the street to four feet beyond the right-of-way boundary and where an on-street multi use path is present, the property owner shall mow or cause to be mowed a strip no less than 4 feet wide from the edge of the street toward the property line.

b. Mowing by Village.

i. Notice to Owner of Record by Mail. The Weed Commissioner or his/her designee shall ~~send a provide~~ notice of violation/abatement order by mail to the owner of record or by posting the notice at the property of any land which is in violation of this section. Said notice of violation/abatement order shall order the owner of record, occupier and/or person in control of the land to immediately abate the nuisance or provide written notice to the

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Village Administrator of the reasons for objecting to the notice of violation/abatement order by a specified date and time, not to exceed seven (7) days. If the nuisance is not abated and no timely objection is received by the Village Administrator, the Weed Commissioner or his/her designee may mow or have mowed said lawn to meet the requirements of this section. The Weed Commissioner or his/her designee are expressly authorized to enter upon the private property for such abatement purposes. All costs associated with mowing shall be placed on the tax roll of said land as a special charge. In addition, any person who is in violation of this section shall be subject to a forfeiture as set forth in sec. 1.111.

- ii. Due Process Hearing. If the owner, occupier and/or controller of the land subject to a notice of violation/abatement order contends that his/her lawn is not a nuisance, as defined in this section, he/she may object to the notice of violation/abatement order and request a hearing before the Community Life and Public Safety Committee. The objection and request for hearing must be made in writing to the Village Administrator by the specified date and time identified in the notice of violation/abatement order. The objection and request for hearing shall include payment of ~~a one hundred dollar bond (\$100)~~ a twenty-five-dollar bond (\$25). If a decision is rendered in favor of the owner, occupier and/or controller of the land, ~~the one hundred dollars (\$100) will be returned~~ the twenty-five dollars (\$25) will be returned. If the owner, occupier and/or controller of the land fails to appear for the hearing, or if the decision is rendered against him/her, the deposit shall be forfeited and applied to the cost of abating the nuisance. When a hearing is requested to challenge a notice of violation/abatement order, the hearing shall be held within fourteen (14) days from the date of the objection and request for hearing is received by the Village Administrator. At the hearing, the owner, occupier and/or controller of the land may appear in person or by his/her attorney, may present witnesses and may cross-examine witnesses as well as subpoena witnesses for his/her own case. At the close of the hearing, the Community Life and Public Safety Committee shall make its determination in writing specifying its findings of fact and conclusions. If the Community Life and Public Safety Committee determines that a nuisance exists on the land at issue, the Community Life and Public Safety Committee shall order the Weed Commissioner and/or his/her designee to mow the lawn in question unless the owner, occupier and/or controller of the land abates the nuisance within forty-eight (48) hours of the Community Life and Public Safety Committee's decision.

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~~12.11. Public nuisances prohibited. No person shall erect, contrive, cause, continue, maintain or permit to exist any public nuisance within~~ Abatement – generally.

- ~~13.a.~~ Responsibility for enforcement; inspections. It shall be the duty of each department head to enforce those provisions of this chapter that come within the jurisdiction of their respective offices, and each department head shall make or cause to be made periodic inspections and inspections upon complaint to ensure such provisions are not violated. No action shall be taken under this section to abate a public nuisance unless the officer has inspected or caused to be inspected the premises where the nuisance is alleged to exist and has satisfied himself that a nuisance does in fact exist.

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~~14.b.~~ Summary abatement.

- ~~15.i.~~ Order of abatement. If the inspecting officer determines that a public nuisance exists within the Village and that there is imminent danger to the

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public health, safety, peace, morals or decency, he/she may, without notice or hearing, issue an order reciting the existence of a public nuisance constituting imminent danger to the public and requiring immediate action be taken as he/she deems necessary to abate the nuisance. Notwithstanding any other provisions of this article, the order shall be effective immediately. Any person to whom such order is directed shall comply with the order immediately.

f-ii. Abatement by Village. Whenever the owner or occupant shall refuse or neglect to remove or abate the condition described in the order, the inspecting officer shall, in his/her discretion, enter upon the premises and cause the nuisance to be removed or abated and the Village shall recover the expenses incurred thereby from the owner or occupant of the premises or from the person who has caused or permitted the nuisance.

b-c. Nonsummary abatement by Village for nuisances other than long grass, noxious weeds, trees and shrubs.

- i. Order to abate nuisance. If the inspecting officer shall determine that a public nuisance exists on private premises but that the nature of such nuisance is not such as to threaten imminent danger to the public health, safety, peace, morals or decency, he/she shall issue an order reciting the existence of a public nuisance and requiring the owner or occupant of the premises to remove or abate the condition described in the order within the time period specified therein. The inspecting officer shall send a notice of violation/abatement order by mail to the owner of record. Said notice of violation/abatement order shall order the owner of record, occupier and/or person in control of the land to abate the condition described in the order within the time specified therein. If sent by certified mail and the owner of record does not sign for the notice of violation/abatement order that is sent by certified mail, the inspecting officer or his/her designees shall post a notice of violation/abatement order upon the land in violation, in letters not less than one inch (1") height.
- ii. Abatement by the Village. If the owner or occupant fails or refuses to comply within the time period prescribed, the inspecting officer shall enter upon the premises and cause the nuisance to be removed or abated and the Village shall recover the expenses incurred thereby from the owner or occupant of the premises or from the person who has caused or permitted the nuisance.
- iii. Remedy from order. Any person affected by such order shall, within fourteen (14) days of notice of violation/abatement order or posting of the notice of violation/abatement order upon the land in violation, apply to the Circuit Court for an order restraining the Village and the inspecting officer from entering upon the premises and abating or removing the nuisance, or be forever barred. The court shall determine the reasonableness of the order for abatement of the nuisance.

e-d. Authority to assess costs. The cost of the abatement or removal of a nuisance under this section shall be collected from the owner, occupant or person causing, permitting or maintaining the nuisance and, if notice to abate the nuisance, if applicable, has been given to the owner, such cost shall be assessed against the real estate as a special charge.

e-e. Abatement in accordance with state law. Nothing in this article shall be construed as prohibiting the abatement of public nuisances by the Village or its officials in accordance with the laws of the State.

e-f. Same – collection of costs. In addition to any other penalty imposed by this article for the erection, contrivance, creation, continuous or maintenance of a public nuisance, the cost of abatement of a public nuisance by the Village shall be collected as a debt from the owner, occupant or person causing, permitting or maintaining the nuisance and, if notice to abate the nuisance has been given to the owner, such costs shall be assessed against the real estate as a special charge.

f.g. Penalty. Any person who violates, disobeys, neglects or refuses to comply with any of the provisions of this section shall be subject to a forfeiture as provided in Sec. 1.111 of this Code.

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~~[Ord. of 1-13-2005; Ord. of 5-24-2007; Ord. of 9-19-2008; Ord. of 5-24-2013]~~

#### HISTORY

Adopted by Ord. [Chapter 50 Property Maintenance Sec 50.102](#) on 1/13/2005

Amended by Ord. [Chapter 50 Lawn and Yard Maintenance Sec 50.102](#) on 5/24/2007

Amended by Ord. [Chapter 50 Property Maintenance Code Definitions Sec 50.102\(d\)](#) on 9/19/2008

Amended by Ord. [Chapter 50 Public Nuisances Prohibited 50.102\(i\)\(j\) 50.102\(k\)\(l\)](#) on 5/24/2013

Amended by Ord. [16-030](#) on 6/8/2016

Amended by Ord. [18-001](#) on 1/20/2018

Amended by Ord. [19-013](#) on 8/21/2019

Amended by Ord. [24-009](#) on 9/16/2024

#### Sec 50.1043 Loud, Disturbing Noises Prohibited

1. **Loud, disturbing noises prohibited generally.** It shall be unlawful for any person to create or assist in creating any unreasonably loud and disturbing noise in the Village of Weston (see also Sec. 50.100 Things prohibited).

~~2. **Measurement.** For the purpose of determining db.(A)'s as referred to in this Ordinance, the noise shall be measured on the A-weighting scales on a sound level meter of standard design and quality having characteristics established by the American Standards Institute and shall be measured at the complainant's property line.~~

#### ~~3.2. Residential Zones.~~

- a. It shall be unlawful to carry on the following activities in any residentially zoned area of the Village:
  - i. The operation of construction machinery between the hours of 8:00 p.m. and 6:00 a.m.
  - ii. The operation of household power tools between the hours of 10:00 p.m. and 6:00 a.m.
  - iii. The operation of lawn mowers, chain saws, powered garden equipment and other domestic tools out-of-doors between the hours of 10:00 p.m. and 6:00 a.m.
  - iv. Working on vehicles or revving vehicle motors between the hours of 10:00 p.m. and 6:00 a.m.
  - v. Musical bands practicing in residential areas between the hours of 8 p.m. and 7 a.m.
  - vi. Any mechanical noise which ~~disturbs the peace, registers more than 85 db.(A) for 4 consecutive hours at the nearest complainant's property line will be probable cause for a violation.~~
  - vii. This section shall not apply to emergency operations designed to protect the public health and safety.

In residential zones, it shall be unlawful for any person to make or engage in any unreasonably loud and raucous noise, yelling, screaming, shouting, hooting, whistling, or

singing between the hours of 10:00 p.m. and 6:00 a.m. A noise shall be presumed to be unreasonably loud and raucous, ~~if it is considered disturbing the peace. if it is plainly audible within a residence and measures 85 db.(A) or more at the complainant's property line.~~ There shall be excepted from this provision any organized sporting events, fairs, carnivals, or similar activities. The person(s) in violation of this ordinance shall be ordered to reduce the noise to acceptable levels immediately by the monitoring officer.

~~4-3.~~ **Construction Noise.** Construction equipment in all zones may be operated between the hours of 6:00 a.m. and 8:00 p.m.

~~5-4.~~ **Business Deliveries Adjacent to Residential Zoning Prior to 6 a.m.**

- a. Any business deliveries received prior to 6 a.m. to a business adjacent to a residentially zoned area of the Village must follow the subsequent guidelines:
  - i. Staging of trucks for early delivery must be silent. No engine idling and refers must be turned off until delivery time if waiting in the parking lot.
  - ii. Horns cannot be used to signal arrival.
  - iii. All off loading ~~must take place below 60 db.(A), at point source, and~~ vehicles must be silent during delivery (no idling).
  - iv. Outside off loading cannot include any dumping action that causes loud or sudden noises.
  - v. Back-up alarms must be used at the reduced sound level if equipped.
  - vi. When possible, deliveries should take place on the side of the building away from the residentially zoned district.

~~6-5.~~ **Non-residential zoning districts adjacent to Residential zoning districts.** It shall be unlawful for any non-residentially zoned property adjacent to a residentially zoned property to operate their business ~~if noise is considered disturbing the peace at or over 85 db.(A) for four consecutive hours measured at the complainants property line between the hours of 10:00 p.m. and 6:00 a.m. Enforcing officer shall be given discretion when noise level is subject to automatic citation. Decibel readings over 110 db.(A) at the complainants property line will be subject to automatic citation.~~

~~7-6.~~ **Schools, churches, hospitals.** The creation of any excessive noise on any street or property adjacent to any school, institution of learning, or church while in use, or adjacent to any hospital, which unreasonably interferes with the normal operation of that institution, or which disturbs or unduly annoys patients in the hospital, is prohibited.

~~8-7.~~ **Enforcement.** Enforcement of this ordinance shall be at the discretion of the Police Department or Village of Weston staff on the basis of complaints filed with the Village of Weston or the Department. In all non- residential zones, the violator shall be given 30 days from written notice of his violation to reduce the sound pressure levels to acceptable levels. ~~Enforcing officer shall be given discretion when noise level is subject to automatic citation. Decibel readings over 110 db.(A) at the complainants property line will be subject to automatic citation.~~

~~9-8.~~ **Exceptions.** Operation of emergency equipment and equipment used to comply with state mandates for a safe environment shall be exempt from this ordinance. Snowblowers ~~and snow removal equipment~~ not operated on a commercial basis shall be exempt from this ordinance when used to gain access to a village street. Garbage and recycling trucks shall be exempt. (Emergency equipment shall include ambulance, police, fire, snow removal, civil defense sirens, etc., necessary for the health, safety, and protection of the citizens of the Village of Weston.)

~~10-9.~~ **Appeals.** The Village Board may grant an exemption to individuals proving evidence of substantial hardship. Evidence that reasonable technological attempts have been made to correct the problem shall be considered grounds for granting an exemption to this ordinance for existing businesses and industries.

~~44.10.~~ **Penalties.** Failure to comply with the provisions of this ordinance shall be punished by a minimum fine of \$75.00, not to exceed \$500.00. Each day the condition exists shall constitute a new and separate offense.

(Ord. of 5-18-2006)

#### HISTORY

Adopted by Ord. [Chapter 50 Loud Disturbing Noises Sec 50.103](#) on 5/18/2005

Amended by Ord. [16-030](#) on 6/8/2016

Amended by Ord. [24-009](#) on 9/16/2024

#### **Sec 50.104 Chronic Nuisance Premises**

1. **Declaration.** The Board of Trustees finds that from time to time certain premises in the Village of Weston require a disproportionate amount of Village resources (including public safety services provided by the Police Department) to be devoted to addressing various nuisances, criminal activities and other incidents that occur thereon. Often this disproportionate devotion of Village resources is due to property owner's own actions or failure of the property owners to accept and exercise sufficient responsibility for and over the actions of occupants, guests, agents or employees that reside or frequent that premises. Such premises, as further described in subsection (2) below, are deemed chronic nuisance premises and are hereby recognized as a public nuisance due to the resource drain it causes the community as a whole. This section is enacted to encourage property owners and/or managers to engage in their responsibility to ensure that activities occurring on their property conform to the law and do not unduly burden the Village's resources and to provide a mechanism for the Village to take action against property owners who fail to ensure premises they own do not require a disproportionate devotion of resources to the premises. This section of the Municipal code is not intended to discourage crime victims or any person in legitimate need of police services from requesting them.
2. **Determination of Chronic Nuisance Premises.**
  - a. Any residential unit premise to which a Village Department (including the Police Department) responds to complaints of any nuisance activity, that results in a municipal citation or Village enforcement action, three ~~or more~~ separate times within any sixty (60) day period is deemed to have received and required more than the general acceptable level of municipal services and places an undue burden upon the taxpayers of the Village. A residential unit shall be defined as a delineated, single family residence that is housed in a home, duplex unit, apartment complex, condominium or other residential dwelling.  
For the purposes of this subsection, a nuisance activity shall be any offense(s) under Village of Weston Municipal Code, Chapters 10, 14, 38, 50, 54, 66, 82 and 94, or their statutory counterparts, or any offense under state law for which a penalty under state law for which a penalty of forfeiture, fine or imprisonment is provided.
  - b. Any non-resident owner of a residential unit(s) available for lease or rent within the Village of Weston that has had 3 units or 10% of their available units for lease or rent – whichever is the greater number of units, designated as a chronic nuisance premise, shall be deemed a chronic nuisance landlord and shall be subject to the notice, abatement, hearing and penalties and remedies provisions found herein this ordinance. Further, the designation of a chronic nuisance landlord shall be posted in the Village's official newspaper, website, and newsletter for the purpose of public awareness.

For the purposes of this subsection, a determination of chronic nuisance premises or the designation of a chronic nuisance landlord of a mobile home park shall be a reviewable item in consideration of renewal of the mobile home park's annual operating license under Wis. Stat. 66.0435(2).

- c. Any business or commercial venture to which a department responds to complaints of nuisance activity, that results in a municipal citation or Village enforcement action, five (5) or more separate times within any sixty (60) day period is deemed to have received and required more than the general, acceptable level of municipal services, and places an undue burden upon the taxpayers of the Village. For the purposes of this subsection, a nuisance activity is defined under Section (2) (a) of this ordinance. For the purposes of this subsection, a determination of a chronic nuisance premise that carries any class of Village liquor license, shall be a reviewable item in consideration of the revocation of the premise's liquor license per Wis. Stat. 125.12 (2) and shall be assigned the appropriate violation points as determined by the Village of Weston's alcohol beverage demerit point system.
  - d. For the purpose of this ordinance, a residential unit or business venture shall automatically be designated as a chronic nuisance premise if any single nuisance is affiliated with illegal drug distribution or gang activity Wis. Stat. § 823.113(1m)(a).
  - e. An offense shall not be considered a nuisance if it is committed by a person having no association with the premises by acquaintance with, relation to or expressed or implied invitation from the owner, occupant, operator, or agent of the premises.
  - f. An offense shall not be considered a nuisance if it is:
    - i. An offense that results from the property owner/landlord's self-notification to a Village official or the Police Department as a means of mitigating the nuisance or a crime;
    - ii. A report of domestic violence per Wis. State Statutes.
  - g. Whenever any such premises exist, the appropriate Village department head or the Police Department Chief shall determine from the facts of each incident and considering the purpose of this subsection as set forth in Section (1) above, whether the premises is a chronic nuisance premises. A chronic nuisance premises shall be defined as a public nuisance.
3. **Notice.** Whenever a Village department head or the Police Chief finds a premise constitutes a chronic nuisance premises under section (1) (a), the department head or Police Chief shall provide written notice of his determination to the owner of the premises as identified by the records of the Village Assessor and Marathon County Land Records. Such notice shall be delivered by certified mail, return receipt requested or by personal service. If the owner cannot be located, the notice shall be published as a Class 2 notice under Wis. Stats. Chapter 985. The notice shall contain the following information:
- a. The street address and number, if applicable, otherwise the parcel number of legal description sufficient to identify the premises.
  - b. A brief statement, including a description of the relevant activities, supporting the determination that the premise is a chronic nuisance premises.
  - c. A statement that the owner shall, within 10 (ten) days of receipt of the notice, or last day of publication if published, respond to the appropriate department head or Police Chief requesting a hearing before the Village Board of Trustees or proposing in writing a course of action that will be taken to abate the nuisance activities.

- d. A statement that owner shall immediately notify the appropriate department head of any change in address to ensure receipt of future notices.
4. **Owner Abatement.** If the owner responds to the notice in section (3) within 10 (ten) days of receipt of notice or the last day of publication if published with a nuisance abatement proposal, the department head or Police Chief may accept, reject, or work with the owner to modify the proposal in his or her discretion. If the department head or Police Chief rejects the abatement proposal, determines that an agreement on an appropriate abatement proposal cannot be reached or determines that owner abatement is for any reason unsuccessful, the matter shall be referred to the Village Board of Trustees for hearing.
5. **Chronic Nuisance Landlord Abatement.** If the non-resident owner of residential units available for lease or rent responds to the notice in section (3) within 10 (ten) days of the receipt of notice or the last day of publication with a nuisance abatement proposal for all units (3 units or more than 10% of the units available for lease or rent, whatever is greater), the department head or Police Chief may accept, reject, or work with the owner to modify the proposal in his or her discretion and remove the designation of Chronic Nuisance Landlord. The designated Chronic Nuisance Landlord nuisance abatement proposal shall include remedies that shall be undertaken to mitigate chronic nuisances, which may include, but is not limited to, landlord – tenant screening, tenant education, tenant eviction procedures, and other preventative practices to improve the residential unit(s). If a non-resident owner of residential units for lease or rent abatement of a nuisance causes the number of nuisance premises to be reduced below the Chronic Nuisance Landlord threshold of (3) units or more than 10% of the units available for lease or rent, whatever is greater, the Village shall drop the designation of Chronic Nuisance Landlord.
6. **Hearing.** If a hearing is requested by the owner or if the department head or Police Chief determines that a satisfactory abatement plan cannot be agreed upon or if the department head or Police Chief determines that abatement actions taken by the owner are unsuccessful, a hearing shall be held before the Village Board of Trustees. The owner shall receive ten (10) days written notice of the hearing sent by regular mail or, if the owner cannot be located, by publication of a Class 2 notice under Wis. Stat. Chapter 985. The Village Board shall hear any and all evidence it deems relevant and shall affirm or reverse the determination of the department head or Police Chief.
7. **Penalties and Remedies.**
  - a. If the department head's or Police Chief's determination is affirmed, the Village Board of Trustees may order the owner to pay the actual cost of Village services to respond to any nuisance activities occurring after the three (3) responses that led to the determination that the premises was a chronic nuisance premises. Such costs shall be presented to the Village Board of Trustees and may include costs incurred prior to the Village Board of Trustee's determination. The Village Board of Trustee's may order costs of all such calls to the chronic nuisance premises be paid until the public nuisance is abated under section (7). Such costs, plus a reasonable administrative charge, shall be billed to the owner by invoice sent by regular mail and if not paid within thirty (30) days of the date on the invoice shall be charged to the property as a special charge pursuant to Wis. Stat §. 66.0701.
  - b. The Village Board of Trustees may authorize any other penalty or remedy authorized by law.
8. **When Nuisance is Deemed Abated.** The public nuisance created by a chronic nuisance premises shall be deemed abated when no Village resources have responded to the premises to address nuisance activities occurs for a period of six (6) consecutive

months. The Village or Police Department may also deem a chronic nuisance premise to be abated, if the occupant, which may include a tenant or resident-owner, vacates the premise.

**9. Abatement of Public Nuisances.**

- a. **Inspection of Premises.** Whenever a complaint is made to any Village official or employee that a public nuisance exists within the Village, said complaint shall be directed to the appropriate department head or Police Chief who shall in his or her reasonable discretion inspect or cause to be inspected the premises complained of and shall make a written report of his or her findings to the Village Administrator. Whenever practicable, the inspecting officer shall cause photographs to be made of the premises.

**10. Summary Abatement.**

- a. **Notice to Owner.** If the inspecting officer shall determine that a public nuisance exists within the Village, the department head or Police Chief may serve notice personally or by certified mail on the persons causing, permitting, or maintaining such nuisance and/or upon the owner or occupant of the premises where such nuisance is caused, permitted, or maintained and to post a copy of said notice on the premises. Such notice shall direct the person causing, permitting, or maintaining such nuisance or the owner or occupant of the premises to abate or remove such nuisance within a specified, reasonable period of time after consideration of all relevant circumstances and shall state that unless the same is done will cause the nuisance to be abated and will charge the cost thereof to the owner, occupant, or person causing, permitting, or maintaining the nuisance, as the case may be and that said costs may be collected as a special charge pursuant to Wis. Stat. § 66.0701.
- b. **Abatement by the Village.** If the nuisance is not abated within the time provided or if the owner, occupant, or person causing the nuisance cannot be found, the department head or Police Chief shall cause the abatement or removal of such public nuisance. Wherever possible, costs of abatement shall be billed to the owner, occupant, or person causing the nuisance. If said costs are not paid within thirty (30) days of billing such costs, or if the owner, occupant or person causing the nuisance cannot be found, said costs may be collected pursuant to Wis. Stat. § 66.0701
- c. **Other Methods Not Excluded.** Nothing in this section shall be construed as prohibiting the abatement of public nuisances by the Village or its officials in accordance with the laws of the State of Wisconsin including, but not limited to an action under Wis. Stat. Chapter 823.

- 11. Cost of Abatement.** In addition to any other penalty imposed by this Chapter for the erection, contrivance, continuance, or maintenance of a public nuisance, the cost of abating a public nuisance by the Village shall be collected as a debt from the owner, occupant, or person causing, permitting, or maintaining the nuisance, and if notice to abate the nuisance has been given to the owner, such cost shall be assessed against the real estate as a special charge.

**12. Penalty Provisions.**

- a. **General Penalty.** Whenever so provided in this Code, any person who shall violate any provision of this Code shall upon conviction of such violation, be subject to a penalty, which shall be as follows:
- b. **First Offense – Penalty.** Any person who shall violate any provision of this Code subject to a penalty shall, upon conviction thereof, forfeit not more than \$2,500 together with the costs of prosecution and in default of payment of such forfeiture

and costs of prosecution shall be imprisoned in the County Jail until said forfeiture and costs are paid, but not exceeding ninety (90) days.

- c. Any person found guilty of violating any provision of this Code who shall previously have been convicted of a violation of the same provision shall upon conviction thereof, forfeit not less than \$50.00 nor more than \$2,500 for each such offense, together with the costs of prosecution and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail until said forfeiture and costs of prosecution are paid, but not to exceed six (6) months.
- d. **What Constitutes a Separate Offense.** Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this Code shall preclude the Village from maintaining any appropriate action to prevent or remove a violation of any provision contained in this Code.

13. **Execution Against Defendant's Property.** Whenever any person fails to pay any forfeiture and costs of prosecution upon the order of the court for violation of any ordinance of the Village the Court may, in lieu of ordering imprisonment of the defendant, or after the defendant has been released from custody, issue an execution against the property of the defendant for said forfeiture and costs.

(Ord. of 12-5-2008; Ord. of 4-22-2010)

#### HISTORY

Adopted by Ord. [Chapter 50 Chronic Nuisance Premises Sec 50.104](#) on 12/5/2008

Repealed & Reenacted by Ord. [Chapter 50 Chronic Nuisance Premises Sec 50.104](#) on 7/23/2010

Amended by Ord. [16-030](#) on 6/8/2016

Amended by Ord. [24-009](#) on 9/16/2024

#### [Sec 50.105 Accumulation of Used Motor Vehicles – cross reference Sec 82.114 Vehicles, Abandoned and Junked.](#)

~~No person, except a person licensed under Sec. 18.131(1) or a licensee of a motor vehicle dealer's license issued under statute, shall accumulate or store or allow to remain outside of any building on real estate located within the Village for a period of more than ten days, or dump, deposit or otherwise abandon upon any property or upon any highway, street, road, alley or way within the Village, any used motor vehicle, as defined by statute, or any detached part thereof, for which no current registration fee has been paid under statute or which, if paid, does not have properly attached thereto under statute a current license plate, if required, and which is in a condition which would mechanically prevent the immediate operation thereof upon any public highway or its operation thereon would be in violation of the law. Each day that any used motor vehicle, as defined in this section, or any detached part thereof, shall be accumulated or stored or allowed to remain contrary to this section shall constitute a separate and distinct offense.~~

(Ord. of 7-23-2010)

#### HISTORY

Adopted by Ord. [Chapter 50 Accumulation of Used Motor Vehicles Sec 50.105](#) on 7/23/2010

Amended by Ord. [16-030](#) on 6/8/2016

SECTION 2: REPEALER CLAUSE. All ordinance or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: SEVERABILITY CLAUSE. Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its date of passage and publication as required by law.

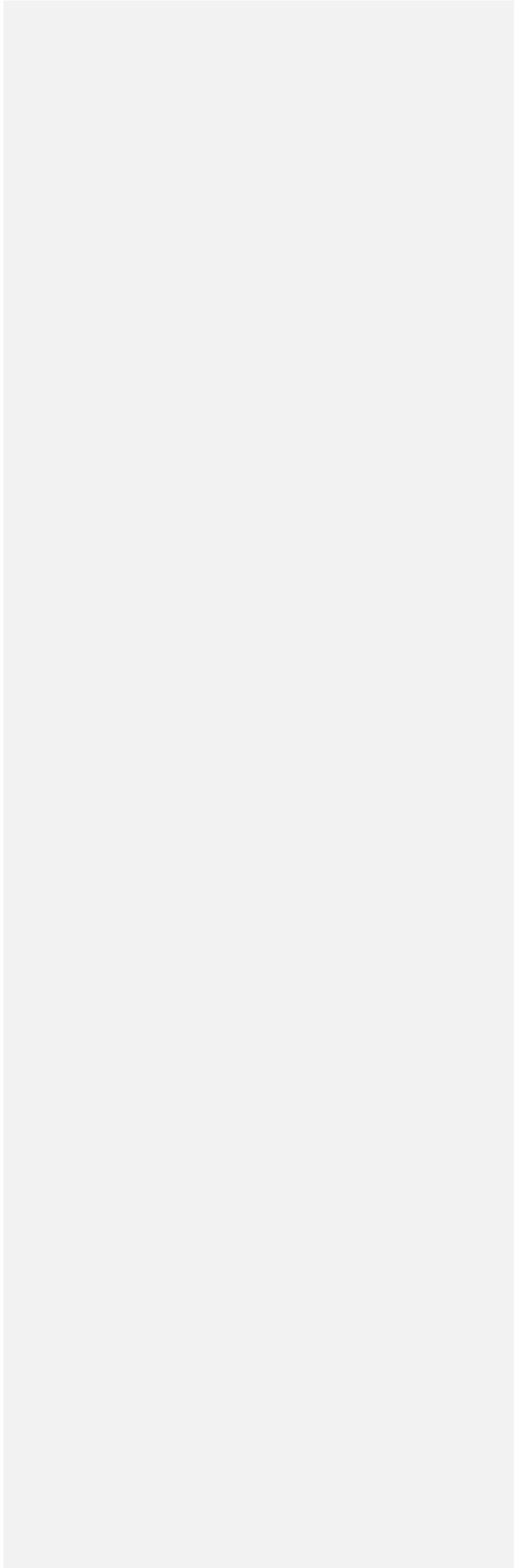
Dated the \_\_ day of \_\_\_\_\_ 2026.

VILLAGE OF WESTON  
By: \_\_\_\_\_  
Mark F. Maloney, President

ATTEST:  
By: \_\_\_\_\_  
Pamela S. Brehm, Clerk

Adopted: \_\_\_\_\_  
Published: \_\_\_\_\_

DRAFT



**VILLAGE OF WESTON  
ORDINANCE NO. 26 –**

**AN ORDINANCE AMENDING CHAPTER 50 NUISANCE OF THE MUNICIPAL CODE FOR  
THE VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN**

**NOW THEREFORE**, be it ordained by the Board of Trustees of the Village of Weston, in the State of Wisconsin, as follows:

**SECTION 1: AMENDMENT** “Chapter 50 Nuisance” of the Village of Weston Municipal Code is hereby amended as follows:

**AMENDMENT**

**Sec 50.100 Public Nuisances Prohibited.**

No person, shall erect, contrive, cause, continue, maintain, or permit to exist any public nuisance within the Village.

(Code 1982, § 4.156(1); Ord. of 10-16-2000(2), § 1)

**HISTORY**

Amended by Ord. [Chapter 50 Sec 50.100 \(12\)](#) on 10/28/2000

Amended by Ord. [16-030](#) on 6/8/2016

**Sec 50.101 Public Nuisances Defined**

A public nuisance is a thing, act, occupation, condition, or use of property which shall continue for such length of time as to:

1. Substantially annoy, injure, or endanger the comfort, health, repose, or safety of the public.
2. In any way render the public insecure in life or in the use of property.
3. Unlawfully and substantially interfere with, obstruct, or tend to obstruct or render dangerous for passage any street, alley, highway, navigable body of water or other public way or the use of public property.

(Code 1982, § 4.156(3))

**HISTORY**

Amended by Ord. [16-030](#) on 6/8/2016

**Sec 50.102 Public Nuisances Affecting Peace and Safety**

The following acts, omissions, places, conditions and things are hereby declared to be public nuisances affecting peace and safety, but such enumeration shall not be construed to exclude other nuisances affecting public peace or safety coming within other provisions of this code:

1. **Signs, Billboards, etc.** All signs and billboards, awnings and other similar structures over or near streets, sidewalks, public grounds or places frequented by the public, so situated or constructed as to endanger the public safety.
2. **Illegal Buildings.** All buildings erected, repaired or altered in violation of the provisions of this Code relating to materials and manner of construction of buildings and structures within the Village.
3. **Unauthorized Traffic Signs.** All unauthorized signs, signals, markings or devices placed or maintained upon or in view of any public highway or railway crossing which

purport to be or may be mistaken as an official traffic control device, railroad sign or signal or which because of its color, location, brilliance or manner of operation interferes with the effectiveness of any device, sign or signal.

4. **Obstruction of Intersections.** All trees, hedges, billboards or other obstructions which prevent persons driving vehicles on public streets, alleys or highways from obtaining a clear view of traffic when approaching an intersection or pedestrian crosswalk.
5. **Tree Limbs.** All limbs of trees which project over and less than 14 feet above any public sidewalk or less than 10 feet above a street or other public place.
6. **Dangerous Trees.** All trees which are injurious to public health or safety because of a diseased or damaged condition; and the storage of cut elm wood, unless such wood is debarked or sprayed with an effective elm bark beetle destroying insecticide.
7. **Fireworks.** All use or display of fireworks except as provided by the laws of the State and this Code.
8. **Dilapidated Buildings.** All buildings or structures so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human use.
9. **Wires and Cables Over Streets.** All wires and cables over streets, alleys or public grounds which are strung less than 13 feet above the surface thereof.
10. **Noisy Animals or Fowl.** The keeping or harboring of any animal or fowl which by frequent or habitual howling, yelping, barking, crowing or making of other noises shall greatly annoy or disturb a neighborhood or any considerable number of persons within the Village.
11. **Obstructions of Streets: Excavations.** All obstructions of streets, alleys, sidewalks or crosswalks and all excavations in or under the same, except as permitted by this Code or which, although made in accordance with this Code, are kept or maintained for an unreasonable or illegal length of time after the purpose thereof has been accomplished.
12. **Unlawful Assembly.** Any unauthorized or unlawful use of property abutting on a public street, alley or sidewalk or of a public street, alley or sidewalk which causes large crowds of people to gather, obstructing traffic and free use of the streets or sidewalks.
13. **Refrigerators.** All abandoned refrigerators or iceboxes from which the doors and other covers have not been removed or which are not equipped with a device for opening from the inside.
14. **Open Pits, Basements, etc.** All open and unguarded pits, wells, excavations and basements.
15. **Flammable Liquids Violations.** Repeated or continuous violations of this Code or the laws of the State relating to the storage of flammable liquids.

#### **Sec 50.103 Property Maintenance Code**

1. **Title.** This section shall be known as "The Property Maintenance Code," and may be referred to in this section as "this code."
2. **Findings and declaration of Policy.** It is hereby found and declared that there exist, in the Village, structures used for residential and nonresidential use which are, or may become in the future, substandard with respect to structure, equipment or maintenance or further, that such conditions, including, but not limited to, structural deterioration, lack of maintenance and appearance of exterior of premises, infestation and existence of fire hazards constitute a menace to the health, safety, morals, welfare and reasonable comfort of the citizens of the Village. It is further found and declared that, by reason of lack of maintenance and because of progressive deterioration, certain properties have the further effect of creating blighting conditions and initiating slums, and that if the same are not curtailed and removed, these conditions will grow and spread and will necessitate the expenditure of large amounts of public funds to correct and eliminate such conditions, that by reason of timely regulations and restrictions contained in this code, the desirability and amenities of residential and

nonresidential uses and neighborhoods may be enhanced and the public health, safety and welfare protected and fostered.

3. **Purpose.** The purpose of this code is to protect the public health, safety, morals and welfare by establishing minimum standards governing the maintenance, appearance and condition of residential and nonresidential premises; to fix certain responsibilities and duties upon owners and operators and distinct and separate responsibilities and duties upon occupants; to authorize and establish procedures for the inspection of residential and nonresidential premises; and to provide for the repair, demolition or vacation of premises unfit for human habitation, occupancy or use.
4. **Definitions.** The following words and terms, wherever used herein or referred to in this code, shall have the respective meanings assigned to them unless a different meaning clearly appears from the context.
  - a. **Deterioration.** The condition of a building or part thereof characterized by holes, breaks, rot, crumbling, peeling, rusting or other evidence of physical decay or neglect, lack of maintenance or excessive use. All exterior wood and composition surfaces shall be properly protected from the elements and against decay by paint, stain or other protective coating and applied in a workmanlike manner.
  - b. **Elements.** Any element, whether created by nature or by man, which, with reasonable foreseeability could carry litter from one place to another. Elements shall include, but not be limited to, air current, rain, water current and animals.
  - c. **Exposed to Public View.** Any premises, or any part thereof, or any building, or any part thereof, which may be viewed by the public.
  - d. **Exterior of the Premises.** Open space on the premises outside of any building thereon.
  - e. **Extermination.** The control or elimination of insects, rodents and vermin.
  - f. **Garbage.** Decayed and decomposed animal and vegetable waste resulting from the handling, preemption, cooking and consumption of food. (See also Refuse and Rubbish).
  - g. **Infestation.** The presence of insects, rodents, vermin or other pests on the premises, which constitute a health hazard.
  - h. **Litter.** Includes any uncontainerized man-made or man-used waste which, if deposited within the Village otherwise than in a litter receptacle, tends to create a danger to public health, safety and welfare or to impair the environment of the citizens of the Village. Litter may include, but is not limited to, any garbage, trash, refuse, confetti, debris, grass clippings, leaves or other lawn or garden waste, newspaper, magazine, glass, metal, plastic or paper container or other construction material, motor vehicle part, furniture, appliances, oil, carcass of a dead animal or nauseous or offensive matter of any kind or any object likely to injure any person or create a traffic hazard.
  - i. **Mixed Occupancy.** Any building containing one or more dwelling units or rooming units and also having a portion thereof devotes to nondwelling uses or used as a hotel.
  - j. **Nuisance.**
    - i. Any public nuisance, as defined by statute or this Chapter.
    - ii. Physical conditions dangerous to human life or detrimental to health of persons on or near the premises where the conditions exists.

- k. Operator. Any person who has charge, care or control of a dwelling or premises, or part thereof, in which dwelling units or lodging rooms are located or let, whether with or without the knowledge and consent of the owner.
  - l. Owner. The term "owner" shall mean every person, firm, partnership, or any individual member thereof, corporation, business organization of any kind, the state, the country, the village, any sewer district, drainage district, the University of Wisconsin and any associated corporation or organization, and any other public or quasi-public corporation having a legal or equitable interest in the property under consideration and shall include the representative, officer, agent or other person having the ownership, control, custody or management of any building. Owner does not include any person whose legal or equitable interest in the building is a security interest derived solely from the extension of credit to permit construction or remodeling of the dwelling or purchase of the dwelling by a third party.
  - m. Park. A public or private park, reservation, playground, beach, recreation center or any public park private area devoted to active or passive recreation or any other area under the supervision of the Village.
  - n. Premises. A lot, plot or parcel of land, including the buildings or structures thereon.
  - o. Private Premises. Any dwelling, house, building, or other structure designed to be used, either wholly or in part, for private residential purposes, whether inhabited or grounds, walk, driveway, porch, steps, vestibule, mailbox or other structure belonging or appurtenant to such dwelling house, buildings or other structure.
  - p. Public Place. All streets, boulevards, avenues, lanes, alleys or other public ways and parks, squares, plazas, grounds and buildings frequented by the general public, whether publicly or privately owned.
  - q. Refuse. All decayed and decomposed solid waste, except body wastes, including, but not limited to, garbage, rubbish, ashes, dead animals, abandoned automobiles and solid wastes. (See also Garbage and Rubbish)
4. **Applicability.** Every residential, nonresidential or mixed occupancy building and the land on which it is situated, used or intended to be used for dwelling, manufactured home park, commercial, business or industrial occupancy shall comply with the provisions of this code, whether or not such building shall have been constructed, altered or repaired before or after the enactment of this code.
5. **Duties and Responsibilities of Owners and Operators.**
- a. Maintenance of Exterior of Premises. The exterior of the premises and all structures thereon shall be kept free of all nuisances and any hazards to the safety of the occupant, pedestrians, or any other person utilizing the premises, and free of unsanitary conditions. Any of the foregoing shall be promptly removed and abated by the owner or operator. It shall be the duty of the owner or operator to keep the premises free of hazards, which include, but are not limited to, the following:
    - i. Refuse, such as brush, weeds, yard waste, broken glass, stumps, obnoxious growths, filth, garbage, trash and debris.
    - ii. Natural growth, such as dead and dying trees and limbs or other natural growth, which, by reason of rotting or deteriorating conditions or storm damage, constitute a hazard to persons in the vicinity. Trees shall be kept pruned and trimmed to prevent such conditions.
    - iii. Overhangs, such as loose and other hanging objects, which, by reason of location above ground level, constitute a danger of falling on the persons in the vicinity.

- b. The exterior of the premises, the exterior of structures and the condition of accessory structures shall be maintained so that the appearance of the premises and structures shall not constitute a blighting factor.
- c. All exterior property areas shall be properly maintained in a clean and sanitary condition free from debris, rubbish or garbage, physical hazards, rodent harborage and infestation, and animal feces. All animal feces shall be removed per Weston Municipal Code Sec. 10.129(a) or Sec. 10.130.
- d. Storage of Commercial and Industrial Material. There shall not be stored or used at any location visible from the sidewalk, street or other public areas, equipment and materials relating to commercial or industrial use unless permitted under the Village of Weston Municipal Code, Chapter 94 for the premises.
- e. General Maintenance. The exterior of every commercial structure or accessory structure, except accessory farm structures, including fences or enclosures, shall be maintained in good repair. The same shall be maintained free of broken glass, loose shingles, crumbling stone or brick, excessive peeling paint, loose boards or other conditions reflective of deterioration or inadequate maintenance to the end that the property itself may be preserved, safety and fire hazards eliminated and adjoining properties protected from blighting influences.

**6. Litter Control.**

- a. Litter Collections and Storage Area. Every owner, occupant or lessee of a building used for residential, business or commercial purposes shall maintain litter collection and storage areas in a clean condition and insure that all litter is properly containerized. Failure to so maintain clean litter collection and storage areas shall constitute a violation of this subsection.
- b. Duty to Collect Litter Before it is Carried From the premises. All litter that is subject to movement by the elements shall be secured by the owner of the premises where it is found before the litter is allowed to be removed from the premises by the elements.
- c. Neglected Premises Visible to the Public. It shall be the duty of any person owning or controlling any premises, including vacant lots visible from any public place or private premises, to maintain such premises in a reasonable clean and orderly manner. It shall be a violation of this subsection to abandon, neglect or disregard the condition or appearance of any premises so as to permit it to accumulate litter.
- d. Areas Around Business Premises. The owner or person in control of any public place, including, but not limited to, restaurants, shopping centers, fast food outlets, stores, hotels, motels, industrial establishments, office buildings, apartment buildings, housing projects, gas stations and hospital and clinics shall at all times keep the premises clean of all litter and shall take measures, including daily cleanup of the premises, to prevent litter from being carried by the elements to adjoining premises. It shall be a violation of this subsection to abandon, neglect or disregard to the condition or appearance of such premises so as to permit it to accumulate litter.
- e. Loading and Unloading Docks. The person owning, operating or in control of loading or unloading docks shall at all times maintain the dock area free of litter in such a manner that litter will be prevented from being carried from the premises by the elements.

**7. Construction Sites.**

- a. Construction Sites. The property owners and the prime contractors in charge of any construction site shall maintain the construction site in such a manner that litter will

be prevented from being carried from the premises by the elements. All litter from construction activities or any related activities shall be picked up at the end of each workday and placed in containers, which will prevent litter from being carried from the premises by the elements.

- b. **Maintaining Sidewalks and Alleys.** Persons owning, occupying or in control of any premises shall keep the sidewalks and alleys adjacent thereto free of litter. Owners or occupants shall sweep or rinse off the sidewalks abutting their premises as often as may be required to keep the walk reasonably free from dirt, paper, waste, snow and ice. This paragraph shall not apply to sidewalks maintained by the Village as provided in the Village of Weston Municipal Code, Chapter 70.
  - c. **Abandoned Garbage.** It shall be unlawful for any person who is in control of any premises upon which is located or on whose behalf there is maintained any container of refuse, waste or garbage, which has been containerized in accordance with a contract for its removal, to allow that refuse, waste or garbage to remain uncollected for longer than 7 days or, in any case, until after that refuse, waste or garbage creates any condition which is offensive to persons upon any private premises or public place.
8. **Animal Feces.**
    - a. Village of Weston Municipal Code, Chapter 10 Animals Sec 10.128.
  9. **Lawn and Yard Maintenance.**
    - a. **Definitions.** The terms used herein are defined as follows.
      - i. **Turf Grass.** Grass commonly used in regularly cut lawns or play areas such as, but not limited to, blue grass, fescue and rye grass blends.
      - i. **General Requirements.** The owner or occupant of any developed commercial lot or parcel in the Village and any developed residential lot or parcel in the Village which is less than 2 acres in area shall install and maintain landscaping, plantings and other decorative surface treatments, including turf grass, so as to present an attractive appearance in all court and yard areas in accordance with generally accepted landscaping practices in north central Wisconsin. For all new residential construction in the Village, lawns shall be installed within 1 (one) year of the occupancy issuance date. For all new commercial and industrial construction, landscaping and lawn shall be installed 18 (eighteen) months from the issuance of the building permit. Lawns shall be maintained to a length not to exceed 8 (eight) inches and property owners shall be responsible for mowing the lawn all the way to the street. Plantings and established lawns shall be maintained so as not to present hazards to adjoining properties or to persons or vehicles traveling on public ways and shall be maintained so as to enhance the appearance and value of the property on which located and thereby the appearance and value of the neighborhood and the Village.
      - ii. **Mowing required.** Lawns which exceed eight (8) inches in length adversely affect the public health and safety, including, but not limited to, producing hay fever, emitting pollen and other discomforting bits of plants, concealing filthy deposits, providing a place for the accumulation of trash or litter, creating a fire hazard and adversely affecting property values within the Village. For these reasons, any lawn which exceeds eight (8) inches in length is hereby declared to be a public nuisance. In order to prevent such public nuisance, it shall be the duty of every person who owns, occupies or controls land within the Village to mow or cause to be mowed said lawn so that it never exceeds eight (8) inches in length. This mowing requirement

does not apply to those portions of a lot or parcel that are located in a designated flood plain, wetland area, or undeveloped lot; however, where public sidewalks or multi-use paths are present, the property owner shall mow, or cause to be mowed, the portion of the lawn from the street to four feet beyond the right-of-way boundary and where an on-street multi use path is present, the property owner shall mow or cause to be mowed a strip no less than 4 feet wide from the edge of the street toward the property line.

b. Mowing by Village.

- i. Notice to Owner of Record by Mail. The Weed Commissioner or his/her designee shall provide notice of violation/abatement order by mail to the owner of record or by posting the notice at the property which is in violation of this section. Said notice of violation/abatement order shall order the owner of record, occupier and/or person in control of the land to immediately abate the nuisance or provide written notice to the Village Administrator of the reasons for objecting to the notice of violation/abatement order by a specified date and time, not to exceed seven (7) days. If the nuisance is not abated and no timely objection is received by the Village Administrator, the Weed Commissioner or his/her designee may mow or have mowed said lawn to meet the requirements of this section. The Weed Commissioner or his/her designee are expressly authorized to enter upon the private property for such abatement purposes. All costs associated with mowing shall be placed on the tax roll of said land as a special charge. In addition, any person who is in violation of this section shall be subject to a forfeiture as set forth in sec. 1.111.
- ii. Due Process Hearing. If the owner, occupier and/or controller of the land subject to a notice of violation/abatement order contends that his/her lawn is not a nuisance, as defined in this section, he/she may object to the notice of violation/abatement order and request a hearing before the Community Life and Public Safety Committee. The objection and request for hearing must be made in writing to the Village Administrator by the specified date and time identified in the notice of violation/abatement order. The objection and request for hearing shall include payment of a twenty-five-dollar bond (\$25). If a decision is rendered in favor of the owner, occupier and/or controller of the land, the twenty-five dollars (\$25) will be returned. If the owner, occupier and/or controller of the land fails to appear for the hearing, or if the decision is rendered against him/her, the deposit shall be forfeited and applied to the cost of abating the nuisance. When a hearing is requested to challenge a notice of violation/abatement order, the hearing shall be held within fourteen (14) days from the date of the objection and request for hearing is received by the Village Administrator. At the hearing, the owner, occupier and/or controller of the land may appear in person or by his/her attorney, may present witnesses and may cross-examine witnesses as well as subpoena witnesses for his/her own case. At the close of the hearing, the Community Life and Public Safety Committee shall make its determination in writing specifying its findings of fact and conclusions. If the Community Life and Public Safety Committee determines that a nuisance exists on the land at issue, the Community Life and Public Safety Committee shall order the Weed Commissioner and/or his/her designee to mow the lawn in question unless the owner, occupier and/or controller of the land abates the nuisance within forty-eight (48) hours of the Community Life and Public Safety Committee's decision.

10. Abatement – generally.

- a. Responsibility for enforcement; inspections. It shall be the duty of each department head to enforce those provisions of this chapter that come within the jurisdiction of their respective offices, and each department head shall make or cause to be made periodic inspections and inspections upon complaint to ensure such provisions are not violated. No action shall be taken under this section to abate a public nuisance unless the officer has inspected or caused to be inspected the premises where the nuisance is alleged to exist and has satisfied himself that a nuisance does in fact exist.
- b. Summary abatement.
  - i. Order of abatement. If the inspecting officer determines that a public nuisance exists within the Village and that there is imminent danger to the public health, safety, peace, morals or decency, he/she may, without notice or hearing, issue an order reciting the existence of a public nuisance constituting imminent danger to the public and requiring immediate action be taken as he/she deems necessary to abate the nuisance. Notwithstanding any other provisions of this article, the order shall be effective immediately. Any person to whom such order is directed shall comply with the order immediately.
  - ii. Abatement by Village. Whenever the owner or occupant shall refuse or neglect to remove or abate the condition described in the order, the inspecting officer shall, in his/her discretion, enter upon the premises and cause the nuisance to be removed or abated and the Village shall recover the expenses incurred thereby from the owner or occupant of the premises or from the person who has caused or permitted the nuisance.
- c. Nonsummary abatement by Village for nuisances other than long grass, noxious weeds, trees and shrubs.
  - i. Order to abate nuisance. If the inspecting officer shall determine that a public nuisance exists on private premises but that the nature of such nuisance is not such as to threaten imminent danger to the public health, safety, peace, morals or decency, he/she shall issue an order reciting the existence of a public nuisance and requiring the owner or occupant of the premises to remove or abate the condition described in the order within the time period specified therein. The inspecting officer shall send a notice of violation/abatement order by mail to the owner of record. Said notice of violation/abatement order shall order the owner of record, occupier and/or person in control of the land to abate the condition described in the order within the time specified therein. If sent by certified mail and the owner of record does not sign for the notice of violation/abatement order that is sent by certified mail, the inspecting officer or his/her designees shall post a notice of violation/abatement order upon the land in violation, in letters not less than one inch (1") height.
  - ii. Abatement by the Village. If the owner or occupant fails or refuses to comply within the time period prescribed, the inspecting officer shall enter upon the premises and cause the nuisance to be removed or abated and the Village shall recover the expenses incurred thereby from the owner or occupant of the premises or from the person who has caused or permitted the nuisance.
  - iii. Remedy from order. Any person affected by such order shall, within fourteen (14) days of notice of violation/abatement order or posting of the notice of violation/abatement order upon the land in violation, apply to the Circuit Court for an order restraining the Village and the inspecting officer from entering

upon the premises and abating or removing the nuisance, or be forever barred. The court shall determine the reasonableness of the order for abatement of the nuisance.

- d. Authority to assess costs. The cost of the abatement or removal of a nuisance under this section shall be collected from the owner, occupant or person causing, permitting or maintaining the nuisance and, if notice to abate the nuisance, if applicable, has been given to the owner, such cost shall be assessed against the real estate as a special charge.
- e. Abatement in accordance with state law. Nothing in this article shall be construed as prohibiting the abatement of public nuisances by the Village or its officials in accordance with the laws of the State.
- f. Same – collection of costs. In addition to any other penalty imposed by this article for the erection, contrivance, creation, continuous or maintenance of a public nuisance, the cost of abatement of a public nuisance by the Village shall be collected as a debt from the owner, occupant or person causing, permitting or maintaining the nuisance and, if notice to abate the nuisance has been given to the owner, such costs shall be assessed against the real estate as a special charge.
- g. Penalty. Any person who violates, disobeys, neglects or refuses to comply with any of the provisions of this section shall be subject to a forfeiture as provided in Sec. 1.111 of this Code.

#### HISTORY

Adopted by Ord. [Chapter 50 Property Maintenance Sec 50.102](#) on 1/13/2005

Amended by Ord. [Chapter 50 Lawn and Yard Maintenance Sec 50.102](#) on 5/24/2007

Amended by Ord. [Chapter 50 Property Maintenance Code Definitions Sec 50.102\(d\)](#) on 9/19/2008

Amended by Ord. [Chapter 50 Public Nuisances Prohibited 50.102\(i\)\(j\) 50.102\(k\)\(l\)](#) on 5/24/2013

Amended by Ord. [16-030](#) on 6/8/2016

Amended by Ord. [18-001](#) on 1/20/2018

Amended by Ord. [19-013](#) on 8/21/2019

Amended by Ord. [24-009](#) on 9/16/2024

#### **Sec 50.104 Loud, Disturbing Noises Prohibited**

1. **Loud, disturbing noises prohibited generally.** It shall be unlawful for any person to create or assist in creating any unreasonably loud and disturbing noise in the Village of Weston (see also Sec. 50.100 Things prohibited).
2. **Residential Zones.**
  - a. It shall be unlawful to carry on the following activities in any residentially zoned area of the Village:
    - i. The operation of construction machinery between the hours of 8:00 p.m. and 6:00 a.m.
    - ii. The operation of household power tools between the hours of 10:00 p.m. and 6:00 a.m.
    - iii. The operation of lawn mowers, chain saws, powered garden equipment and other domestic tools out-of-doors between the hours of 10:00 p.m. and 6:00 a.m.
    - iv. Working on vehicles or revving vehicle motors between the hours of 10:00 p.m. and 6:00 a.m.
    - v. Musical bands practicing in residential areas between the hours of 8 p.m. and 7 a.m.
    - vi. Any mechanical noise which disturbs the peace.

- vii. This section shall not apply to emergency operations designed to protect the public health and safety.

In residential zones, it shall be unlawful for any person to make or engage in any unreasonably loud and raucous noise, yelling, screaming, shouting, hooting, whistling, or singing between the hours of 10:00 p.m. and 6:00 a.m. A noise shall be presumed to be unreasonably loud and raucous, if it is considered disturbing the peace. There shall be excepted from this provision any organized sporting events, fairs, carnivals, or similar activities. The person(s) in violation of this ordinance shall be ordered to reduce the noise to acceptable levels immediately by the monitoring officer.

3. **Construction Noise.** Construction equipment in all zones may be operated between the hours of 6:00 a.m. and 8:00 p.m.
4. **Business Deliveries Adjacent to Residential Zoning Prior to 6 a.m.**
  - a. Any business deliveries received prior to 6 a.m. to a business adjacent to a residentially zoned area of the Village must follow the subsequent guidelines:
    - i. Staging of trucks for early delivery must be silent. No engine idling and horns must be turned off until delivery time if waiting in the parking lot.
    - ii. Horns cannot be used to signal arrival.
    - iii. All off loading vehicles must be silent during delivery (no idling).
    - iv. Outside off loading cannot include any dumping action that causes loud or sudden noises.
    - v. Back-up alarms must be used at the reduced sound level if equipped.
    - vi. When possible, deliveries should take place on the side of the building away from the residentially zoned district.
5. **Non-residential zoning districts adjacent to Residential zoning districts.** It shall be unlawful for any non-residentially zoned property adjacent to a residentially zoned property to operate their business if noise is considered disturbing the peace for four consecutive hours between the hours of 10:00 p.m. and 6:00 a.m. Enforcing officer shall be given discretion when noise level is subject to automatic citation.
6. **Schools, churches, hospitals.** The creation of any excessive noise on any street or property adjacent to any school, institution of learning, or church while in use, or adjacent to any hospital, which unreasonably interferes with the normal operation of that institution, or which disturbs or unduly annoys patients in the hospital, is prohibited.
7. **Enforcement.** Enforcement of this ordinance shall be at the discretion of the Police Department or Village of Weston staff on the basis of complaints filed with the Village of Weston or the Department. In all non- residential zones, the violator shall be given 30 days from written notice of his violation to reduce the sound pressure levels to acceptable levels. Enforcing officer shall be given discretion when noise level is subject to automatic citation.
8. **Exceptions.** Operation of emergency equipment and equipment used to comply with state mandates for a safe environment shall be exempt from this ordinance. Snowblowers and snow removal equipment not operated on a commercial basis shall be exempt from this ordinance when used to gain access to a village street. Garbage and recycling trucks shall be exempt. (Emergency equipment shall include ambulance, police, fire, snow removal, civil defense sirens, etc., necessary for the health, safety, and protection of the citizens of the Village of Weston.)
9. **Appeals.** The Village Board may grant an exemption to individuals proving evidence of substantial hardship. Evidence that reasonable technological attempts have been made to correct the problem shall be considered grounds for granting an exemption to this ordinance for existing businesses and industries.

10. **Penalties.** Failure to comply with the provisions of this ordinance shall be punished by a minimum fine of \$75.00, not to exceed \$500.00. Each day the condition exists shall constitute a new and separate offense.

(Ord. of 5-18-2006)

#### HISTORY

Adopted by Ord. [Chapter 50 Loud Disturbing Noises Sec 50.103](#) on 5/18/2005

Amended by Ord. [16-030](#) on 6/8/2016

Amended by Ord. [24-009](#) on 9/16/2024

#### **Sec 50.104 Chronic Nuisance Premises**

1. **Declaration.** The Board of Trustees finds that from time to time certain premises in the Village of Weston require a disproportionate amount of Village resources (including public safety services provided by the Police Department) to be devoted to addressing various nuisances, criminal activities and other incidents that occur thereon. Often this disproportionate devotion of Village resources is due to property owner's own actions or failure of the property owners to accept and exercise sufficient responsibility for and over the actions of occupants, guests, agents or employees that reside or frequent that premises. Such premises, as further described in subsection (2) below, are deemed chronic nuisance premises and are hereby recognized as a public nuisance due to the resource drain it causes the community as a whole. This section is enacted to encourage property owners and/or managers to engage in their responsibility to ensure that activities occurring on their property conform to the law and do not unduly burden the Village's resources and to provide a mechanism for the Village to take action against property owners who fail to ensure premises they own do not require a disproportionate devotion of resources to the premises. This section of the Municipal code is not intended to discourage crime victims or any person in legitimate need of police services from requesting them.
2. **Determination of Chronic Nuisance Premises.**
  - a. Any residential unit premise to which a Village Department (including the Police Department) responds to complaints of any nuisance activity, that results in a municipal citation or Village enforcement action, three separate times within any sixty (60) day period is deemed to have received and required more than the general acceptable level of municipal services and places an undue burden upon the taxpayers of the Village. A residential unit shall be defined as a delineated, single family residence that is housed in a home, duplex unit, apartment complex, condominium or other residential dwelling.  
For the purposes of this subsection, a nuisance activity shall be any offense(s) under Village of Weston Municipal Code, Chapters 10, 14, 38, 50, 54, 66, 82 and 94, or their statutory counterparts, or any offense under state law for which a penalty under state law for which a penalty of forfeiture, fine or imprisonment is provided.
  - b. Any non-resident owner of a residential unit(s) available for lease or rent within the Village of Weston that has had 3 units or 10% of their available units for lease or rent – whichever is the greater number of units, designated as a chronic nuisance premise, shall be deemed a chronic nuisance landlord and shall be subject to the notice, abatement, hearing and penalties and remedies provisions found herein this ordinance. Further, the designation of a chronic nuisance landlord shall be posted in the Village's official newspaper, website, and newsletter for the purpose of public awareness.

For the purposes of this subsection, a determination of chronic nuisance premises or the designation of a chronic nuisance landlord of a mobile home park shall be a reviewable item in consideration of renewal of the mobile home park's annual operating license under Wis. Stat. 66.0435(2).

- c. Any business or commercial venture to which a department responds to complaints of nuisance activity, that results in a municipal citation or Village enforcement action, five (5) or more separate times within any sixty (60) day period is deemed to have received and required more than the general, acceptable level of municipal services, and places an undue burden upon the taxpayers of the Village. For the purposes of this subsection, a nuisance activity is defined under Section (2) (a) of this ordinance. For the purposes of this subsection, a determination of a chronic nuisance premise that carries any class of Village liquor license, shall be a reviewable item in consideration of the revocation of the premise's liquor license per Wis. Stat. 125.12 (2) and shall be assigned the appropriate violation points as determined by the Village of Weston's alcohol beverage demerit point system.
  - d. For the purpose of this ordinance, a residential unit or business venture shall automatically be designated as a chronic nuisance premise if any single nuisance is affiliated with illegal drug distribution or gang activity Wis. Stat. § 823.113(1m)(a).
  - e. An offense shall not be considered a nuisance if it is committed by a person having no association with the premises by acquaintance with, relation to or expressed or implied invitation from the owner, occupant, operator, or agent of the premises.
  - f. An offense shall not be considered a nuisance if it is:
    - i. An offense that results from the property owner/landlord's self-notification to a Village official or the Police Department as a means of mitigating the nuisance or a crime;
    - ii. A report of domestic violence per Wis. State Statutes.
  - g. Whenever any such premises exist, the appropriate Village department head or the Police Department Chief shall determine from the facts of each incident and considering the purpose of this subsection as set forth in Section (1) above, whether the premises is a chronic nuisance premises. A chronic nuisance premises shall be defined as a public nuisance.
3. **Notice.** Whenever a Village department head or the Police Chief finds a premise constitutes a chronic nuisance premises under section (1) (a), the department head or Police Chief shall provide written notice of his determination to the owner of the premises as identified by the records of the Village Assessor and Marathon County Land Records. Such notice shall be delivered by certified mail, return receipt requested or by personal service. If the owner cannot be located, the notice shall be published as a Class 2 notice under Wis. Stats. Chapter 985. The notice shall contain the following information:
- a. The street address and number, if applicable, otherwise the parcel number of legal description sufficient to identify the premises.
  - b. A brief statement, including a description of the relevant activities, supporting the determination that the premise is a chronic nuisance premises.
  - c. A statement that the owner shall, within 10 (ten) days of receipt of the notice, or last day of publication if published, respond to the appropriate department head or Police Chief requesting a hearing before the Village Board of Trustees or proposing in writing a course of action that will be taken to abate the nuisance activities.

- d. A statement that owner shall immediately notify the appropriate department head of any change in address to ensure receipt of future notices.
4. **Owner Abatement.** If the owner responds to the notice in section (3) within 10 (ten) days of receipt of notice or the last day of publication if published with a nuisance abatement proposal, the department head or Police Chief may accept, reject, or work with the owner to modify the proposal in his or her discretion. If the department head or Police Chief rejects the abatement proposal, determines that an agreement on an appropriate abatement proposal cannot be reached or determines that owner abatement is for any reason unsuccessful, the matter shall be referred to the Village Board of Trustees for hearing.
5. **Chronic Nuisance Landlord Abatement.** If the non-resident owner of residential units available for lease or rent responds to the notice in section (3) within 10 (ten) days of the receipt of notice or the last day of publication with a nuisance abatement proposal for all units (3 units or more than 10% of the units available for lease or rent, whatever is greater), the department head or Police Chief may accept, reject, or work with the owner to modify the proposal in his or her discretion and remove the designation of Chronic Nuisance Landlord. The designated Chronic Nuisance Landlord nuisance abatement proposal shall include remedies that shall be undertaken to mitigate chronic nuisances, which may include, but is not limited to, landlord – tenant screening, tenant education, tenant eviction procedures, and other preventative practices to improve the residential unit(s). If a non-resident owner of residential units for lease or rent abatement of a nuisance causes the number of nuisance premises to be reduced below the Chronic Nuisance Landlord threshold of (3) units or more than 10% of the units available for lease or rent, whatever is greater, the Village shall drop the designation of Chronic Nuisance Landlord.
6. **Hearing.** If a hearing is requested by the owner or if the department head or Police Chief determines that a satisfactory abatement plan cannot be agreed upon or if the department head or Police Chief determines that abatement actions taken by the owner are unsuccessful, a hearing shall be held before the Village Board of Trustees. The owner shall receive ten (10) days written notice of the hearing sent by regular mail or, if the owner cannot be located, by publication of a Class 2 notice under Wis. Stat. Chapter 985. The Village Board shall hear any and all evidence it deems relevant and shall affirm or reverse the determination of the department head or Police Chief.
7. **Penalties and Remedies.**
  - a. If the department head's or Police Chief's determination is affirmed, the Village Board of Trustees may order the owner to pay the actual cost of Village services to respond to any nuisance activities occurring after the three (3) responses that led to the determination that the premises was a chronic nuisance premises. Such costs shall be presented to the Village Board of Trustees and may include costs incurred prior to the Village Board of Trustee's determination. The Village Board of Trustee's may order costs of all such calls to the chronic nuisance premises be paid until the public nuisance is abated under section (7). Such costs, plus a reasonable administrative charge, shall be billed to the owner by invoice sent by regular mail and if not paid within thirty (30) days of the date on the invoice shall be charged to the property as a special charge pursuant to Wis. Stat §. 66.0701.
  - b. The Village Board of Trustees may authorize any other penalty or remedy authorized by law.
8. **When Nuisance is Deemed Abated.** The public nuisance created by a chronic nuisance premises shall be deemed abated when no Village resources have responded to the premises to address nuisance activities occurs for a period of six (6) consecutive

months. The Village or Police Department may also deem a chronic nuisance premise to be abated, if the occupant, which may include a tenant or resident-owner, vacates the premise.

**9. Abatement of Public Nuisances.**

- a. **Inspection of Premises.** Whenever a complaint is made to any Village official or employee that a public nuisance exists within the Village, said complaint shall be directed to the appropriate department head or Police Chief who shall in his or her reasonable discretion inspect or cause to be inspected the premises complained of and shall make a written report of his or her findings to the Village Administrator. Whenever practicable, the inspecting officer shall cause photographs to be made of the premises.

**10. Summary Abatement.**

- a. **Notice to Owner.** If the inspecting officer shall determine that a public nuisance exists within the Village, the department head or Police Chief may serve notice personally or by certified mail on the persons causing, permitting, or maintaining such nuisance and/or upon the owner or occupant of the premises where such nuisance is caused, permitted, or maintained and to post a copy of said notice on the premises. Such notice shall direct the person causing, permitting, or maintaining such nuisance or the owner or occupant of the premises to abate or remove such nuisance within a specified, reasonable period of time after consideration of all relevant circumstances and shall state that unless the same is done will cause the nuisance to be abated and will charge the cost thereof to the owner, occupant, or person causing, permitting, or maintaining the nuisance, as the case may be and that said costs may be collected as a special charge pursuant to Wis. Stat. § 66.0701.
- b. **Abatement by the Village.** If the nuisance is not abated within the time provided or if the owner, occupant, or person causing the nuisance cannot be found, the department head or Police Chief shall cause the abatement or removal of such public nuisance. Wherever possible, costs of abatement shall be billed to the owner, occupant, or person causing the nuisance. If said costs are not paid within thirty (30) days of billing such costs, or if the owner, occupant or person causing the nuisance cannot be found, said costs may be collected pursuant to Wis. Stat. § 66.0701
- c. **Other Methods Not Excluded.** Nothing in this section shall be construed as prohibiting the abatement of public nuisances by the Village or its officials in accordance with the laws of the State of Wisconsin including, but not limited to an action under Wis. Stat. Chapter 823.

11. **Cost of Abatement.** In addition to any other penalty imposed by this Chapter for the erection, contrivance, continuance, or maintenance of a public nuisance, the cost of abating a public nuisance by the Village shall be collected as a debt from the owner, occupant, or person causing, permitting, or maintaining the nuisance, and if notice to abate the nuisance has been given to the owner, such cost shall be assessed against the real estate as a special charge.

**12. Penalty Provisions.**

- a. **General Penalty.** Whenever so provided in this Code, any person who shall violate any provision of this Code shall upon conviction of such violation, be subject to a penalty, which shall be as follows:
- b. **First Offense – Penalty.** Any person who shall violate any provision of this Code subject to a penalty shall, upon conviction thereof, forfeit not more than \$2,500 together with the costs of prosecution and in default of payment of such forfeiture

and costs of prosecution shall be imprisoned in the County Jail until said forfeiture and costs are paid, but not exceeding ninety (90) days.

- c. Any person found guilty of violating any provision of this Code who shall previously have been convicted of a violation of the same provision shall upon conviction thereof, forfeit not less than \$50.00 nor more than \$2,500 for each such offense, together with the costs of prosecution and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail until said forfeiture and costs of prosecution are paid, but not to exceed six (6) months.
- d. **What Constitutes a Separate Offense.** Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this Code shall preclude the Village from maintaining any appropriate action to prevent or remove a violation of any provision contained in this Code.

13. **Execution Against Defendant's Property.** Whenever any person fails to pay any forfeiture and costs of prosecution upon the order of the court for violation of any ordinance of the Village the Court may, in lieu of ordering imprisonment of the defendant, or after the defendant has been released from custody, issue an execution against the property of the defendant for said forfeiture and costs.

(Ord. of 12-5-2008; Ord. of 4-22-2010)

#### HISTORY

Adopted by Ord. [Chapter 50 Chronic Nuisance Premises Sec 50.104](#) on 12/5/2008  
Repealed & Reenacted by Ord. [Chapter 50 Chronic Nuisance Premises Sec 50.104](#) on 7/23/2010

Amended by Ord. [16-030](#) on 6/8/2016

Amended by Ord. [24-009](#) on 9/16/2024

[Sec 50.105 Accumulation of Used Motor Vehicles](#) – cross reference Sec 82.114 Vehicles, Abandoned and Junked.

(Ord. of 7-23-2010)

#### HISTORY

Adopted by Ord. [Chapter 50 Accumulation of Used Motor Vehicles Sec 50.105](#) on 7/23/2010

Amended by Ord. [16-030](#) on 6/8/2016

SECTION 2: REPEALER CLAUSE. All ordinance or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: SEVERABILITY CLAUSE. Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its date of passage and publication as required by law.

Dated the \_\_\_ day of \_\_\_\_\_ 2026.

VILLAGE OF WESTON  
By: \_\_\_\_\_  
Mark F. Maloney, President

ATTEST:

By: \_\_\_\_\_  
Pamela S. Brehm, Clerk

Adopted: \_\_\_\_\_

Published: \_\_\_\_\_

DRAFT

# REQUEST FOR CONSIDERATION

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<b>Public Mtg/Date:</b>	<b>CLPS, March 2, 2026</b>
<b>Description:</b>	<b>Discussion and/or action on proposed E-bike and E-Moto Ordinance</b>
<b>From:</b>	<b>Jami Gebert, Administrator</b>
<b>Question:</b>	<b>Continuing discussion regarding a municipal ordinance for electric bikes.</b>

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## Background

Attached is a draft model e-bike ordinance developed by the Marathon County Metropolitan Planning Commission (MPO) through the MPO Bike/Pedestrian Subcommittee. The draft ordinance was shared at the subcommittee's February 5, 2026, meeting and is currently being circulated to municipalities to gather feedback.

As a reminder, the below six priorities were shared with the subcommittee for draft ordinance development:

1. **Definitions:** Include definitions for e-bicycles – being a bicycle with electric motor assistance, pedals required and E-Motos – being a motorized device often without pedals, not an e-bicycle.
2. **Operation Rules:** Outline that e-bicycles operating as bikes could ride on sidewalks, but when operating as e-bicycles, they cannot. Additionally, no e-motos being able to operate on sidewalks.
3. **Speed Limit:** Require a speed limit for both e-bicycles and e-motos.
4. **Registration:** No registration of e-bicycles or e-motos would be required.
5. **State Law Adoption:** The ordinance would adopt relevant state laws for e-bicycle/e-motos.
6. **Penalties:** Outlining penalties for violations.

Transportation Planner for the MPO, Aaron Anklam, shared at the meeting that the draft model ordinance mirrors State regulations regarding e-bikes. The ordinance can be modified to meet individual municipalities' needs, but it was expressed at the subcommittee meeting an interest in the ordinance being as alike as possible across the metro area.

Following review at the March meeting, I can take back the committee's input to the subcommittee for further refinement. The next subcommittee meeting is March 5, 2026.

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<b>Attached Docs:</b>	<b>Wausau MPO Draft Model E-Bike Ordinance.</b>
<b>Committee Action:</b>	<b>Noted in RFC.</b>
<b>Fiscal Impact:</b>	<b>None.</b>
<b>Recommendation:</b>	<b>None.</b>

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## Recommended Language for Official Action

**I move the following input on the draft model e-bike ordinance be shared with the Wausau MPO Bike/Pedestrian Subcommittee.**

**Or something else . . .**



# **DRAFT Model E-Bike Ordinance**

*For Adoption by Municipalities within the Wausau Metropolitan Planning Organization (MPO) Region*

*This ordinance is intended to serve as a model ordinance that individual jurisdictions may adopt and modify to meet local needs.*

*This model ordinance was developed with input from the Wausau MPO Bike/Pedestrian Sub-Committee members to promote regional consistency while allowing local flexibility.*

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## **Section 1. Purpose and Intent**

The purpose of this ordinance is to establish clear, consistent, and enforceable regulations for the use of electric bicycles (e-bikes) within the Wausau MPO region in order to:

- Promote the safety of all trail, sidewalk, and roadway users;
- Provide clarity and consistency across jurisdictions;
- Encourage responsible use of emerging micromobility technologies; and
- Align local regulations with applicable Wisconsin State Statutes.

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## **Section 2. Definitions**

For the purposes of this ordinance, the following definitions apply:

### **Bicycle**

A vehicle propelled solely by human power through pedals and having one or more wheels.

### **Electric Bicycle (E-Bicycle)**

A bicycle equipped with fully operable pedals and an electric motor with a maximum continuous rated power output of 750 watts (1 horsepower), meeting the requirements of Wis. Stat. § 340.01(15ph), and classified as Class 1, Class 2, or Class 3.

### **Class 1 E-Bicycle**

An e-bicycle that provides electric assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches a speed of 20 miles per hour.

### **Class 2 E-Bicycle**

An e-bicycle equipped with a motor that may be used exclusively to propel the bicycle and is not capable of providing assistance when the bicycle reaches a speed of 20 miles per hour.

### **Class 3 E-Bicycle**

An e-bicycle that provides electric assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches a speed of 28 miles per hour, and is equipped with a speedometer.

### **E-Moto / Electric Motorized Device**

Any electric-powered device designed for transportation without fully operable pedals, including electric dirt bikes, electric motorcycles, or similar devices. E-Motos are not considered e-bicycles under this ordinance.

### **Multi-Use Path / Trail**

Any paved or unpaved off-street path intended for shared use by pedestrians, bicyclists, and other non-motorized users.

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## **Section 3. Applicability and State Law Adoption**

1. This ordinance adopts by reference all applicable provisions of Wisconsin State Statutes governing bicycles and electric bicycles, including but not limited to Wis. Stat. § 340.01, 346.02, 346.806, and 349.18.
2. Where this ordinance is more restrictive than state law, the provisions of this ordinance shall apply.

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## **Section 4. Permitted Use and Areas of Operation**

### **A. Roadways**

1. E-bicycles may be operated on public roadways wherever conventional bicycles are permitted.
2. E-bicycles shall be operated in a careful and prudent manner and in accordance with all traffic laws and regulations.

### **B. Sidewalks**

1. E-bicycles may be operated on sidewalks only where local ordinance permits bicycling on sidewalks.
2. When operated on a sidewalk, an e-bicycle shall be operated at pedestrian-compatible speeds when pedestrians are present and shall yield the right-of-way to pedestrians.
3. E-Motos are prohibited from operating on sidewalks.

## **C. Multi-Use Paths and Trails**

1. Class 1, Class 2, and Class 3 e-bicycles are permitted on multi-use paths and trails unless otherwise posted.
  2. E-Motos are prohibited from operating on any multi-use path or trail.
- 

## **Section 5. Speed Regulations**

1. No e-bicycle shall be operated at a speed greater than:
    - o 20 miles per hour on roadways;
    - o 15 miles per hour on multi-use paths and trails, unless a lower speed is posted;
  2. Municipalities are encouraged to post speed limits at trailheads and key access points.
- 

## **Section 6. Operating Conduct and Etiquette**

1. When approaching pedestrians or slower users, e-bicycle operators shall:
    - o Reduce speed to a safe and courteous level;
    - o Provide an audible warning by bell or verbal signal (e.g., “on your left”);
    - o Yield to pedestrians at all times.
  2. E-bicycles shall be operated single-file on trails and sidewalks, except when safely passing another user.
  3. No person shall operate an e-bicycle in a manner that endangers the safety of others.
- 

## **Section 7. Age Restrictions**

1. Operators of Class 3 e-bicycles must be at least 16 years of age.
  2. There is no minimum age requirement for Class 1 or Class 2 e-bicycles unless otherwise established by local ordinance.
- 

## **Section 8. Equipment Requirements**

1. All e-bicycles shall be equipped with:
  - o Fully operable pedals;
  - o A permanent manufacturer’s label indicating the e-bicycle class, top assisted speed, and motor wattage.
2. Class 3 e-bicycles must be equipped with a speedometer.
3. Required lighting and reflector equipment shall comply with Wis. Stat. § 347.489.

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## **Section 9. Registration and Licensing**

1. No registration or licensing shall be required for e-bicycles but is encouraged in the event of an e-bicycle being lost or stolen. For e-bicycle registration, contact [redacted] Police Department if applicable.
2. A driver's license is not required to operate an e-bicycle of any Class.

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## **Section 10. Prohibited Devices**

1. E-Motos and other electric motorized devices without pedals are prohibited from operating on:
  - o Sidewalks;
  - o Multi-use paths;
  - o Trails; and
  - o Parks, unless permitted by local ordinance.

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## **Section 11. Penalties**

Any person violating this ordinance shall be subject to the general penalty provisions set forth in Section [redacted] of the Municipal Code.

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# REQUEST FOR CONSIDERATION

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<b>Public Mtg/Date:</b>	<b>Community Life and Public Safety Committee – 3/2/2026</b>
<b>Description:</b>	<b>Speed Limit Ordinance Updates – Chapter 82.600</b>
<b>From:</b>	<b>Michael Wodalski, PE (Director of Public Works &amp; Utilities) Isaac Dolan, PE (Staff Engineer)</b>
<b>Question:</b>	<b>Should the Community Life and Public Safety Committee recommend the Village Board make the attached updates to the Speed Limit Ordinance – Chapter 82.600 of the Weston Municipal Code?</b>

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## Background

The topic of Speed Limits came up during the discussion on Weston Avenue at the Community Life and Public Safety Committee (CLPS) on 1/5/2026. As staff started reviewing the speed limit ordinance, there were other streets missing and modifications that should be made regardless of any changes on Weston Avenue.

I do have below information regarding Weston Avenue between CR-X and Ryan Street that was presented at the CLPS Meeting where the roadway was designed as a 35 MPH roadway and as such we'd need to have the ordinance reflect that speed limit reduction. Regarding Weston Avenue itself, changing the speed limit has been discussed since 2021 as part of the Weston Ave Corridor Plan and reconstruction process.

In 2023 we had opened up the new portion of Weston Ave from Ryan St to CR-J which was initially signed at 35 MPH, but was later changed back to 45 MPH. This section of Weston Ave from Ryan St to CR-J was designed as a 50 MPH roadway and doesn't have the same residential constraints that the portion west of Ryan St has which is why the western portion was designed as a 35 MPH roadway. As I look at the existing speed limits in the Village there are other streets that likely should be reduced from the higher speed limits such as Shorey Ave due to the amount of driveways that now exist along the roadway.

There are likely other streets we may want to discuss as well outside of Weston Ave. One street I noticed which I have a proposed change on is Nick Ave west of Heeren St is currently signed as a 35 MPH street, but according to our ordinance is a 55 MPH street. Similarly, we have Weston Ave east of CR-J listed as a 55 MPH street, but Ringle has it as 45 MPH once you hit their limits, so I'm thinking that should be moved down to 45 MPH (there is not a speed limit sign within Village of Weston boundaries). E Nick Ave then is not listed in the ordinance either. I refrained from adding that street in as I think we'd want it to match Kmiecik Street as this is mainly one long continuing street. However, Kmiecik Street is also listed as a 55 MPH street and this is a long gravel road, I do not believe anyone would travel 55 MPH on it, but it would be legal to do so. We should discuss that as well.

# REQUEST FOR CONSIDERATION

If there are any other streets or items that the committee would like to discuss please let us know. Below is what was put together by Staff Engineer Dolan for the 1/5/2026 CLPS Meeting.

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## **RFC information from 1/5/2026 Community Life and Public Safety Committee Meeting**

A resident that lives in the vicinity of Weston Avenue has requested the Village of Weston consider increasing the speed limit along Weston Avenue between Von Kanel Street and Ryan Street from 35 MPH to 45 MPH.

During the design phase of the project, residents in attendance at the public information meeting had shared with the Village that they were in support of the lower 35 MPH speed limit along this segment of Weston Avenue between Camp Phillips Road and Ryan Street. The speed limit then increases to 45 MPH along Weston Avenue between Ryan Street and CTH J. The 35 MPH street segment has residential homes, natural areas, and agricultural areas along it while the 45 MPH street segment has a few residential homes, Prohaska Park, natural areas, and commercial lots. For your reference, please find attached the following references:

- Wisconsin DOT (WisDOT) Speed Limit reference from the Traffic Engineering, Operations & Safety Manual
- Weston Avenue Design Criteria Technical Memo prepared by AECOM, the consultant for the Weston Avenue Reconstruction project

When streets are reconstructed, it is engineering practice that the physical geometry be designed using established design standards for horizontal, vertical, and cross-sectional criteria to provide drivers with adequate sight distance (clear line of sight) to observe obstructions and hazards that may be along or entering the street. These design standards are used so that drivers can safely identify, decide, react, and complete, also known as perception-reaction time, a maneuver while travelling along the street.

It is generally known that some drivers may drive a little faster than the posted speed limit, so engineers may choose to use design criteria based on a design speed of 5 MPH over the posted speed limit which is a typical practice for state roadways. This practice is recommended by the Wisconsin Department of Transportation in its Facility Development Manual (FDM) which is the design standard used on state roads and by many Wisconsin communities as it references national design standards and practices.

The request is to increase the speed limit by 10 MPH to 45 MPH which is higher than the design speed used to design this segment of Weston Avenue as documented in the attached technical memo from AECOM. This section of street may feel safer at a higher speed for the driver but that is only one variable of many variables used to design streets so they are safe for all users.

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# REQUEST FOR CONSIDERATION

Other considerations to acknowledge if the speed limit were increased to 45 MPH are the residents living along this segment of Weston Avenue which will still be required to:

- (1) back out onto the road from their driveways,
- (2) cross to the south side of the street to collect their mail, and
- (3) pedestrians and bicyclists will be travelling along the shoulder.

Some additional information is provided below for reference during discussion as it relates to increasing the speed limit along Weston Avenue.

- Figure 1 - Distance along Weston Avenue between Camp Phillips Road and Ryan Street is approximately 9,000 feet (~1.7 miles) with respect to the distance from STH 29, approximately 2,600 feet (~0.5 miles) north of Weston Avenue where the speed limit is currently 65 MPH. Controlled access to STH 29 is available at Camp Phillips Road and CTH J.
- Table A - This speed limit change would reduce the overall travel time by roughly half a minute (less than 30 seconds).
- Figure 2 - The probability of a collision being fatal for a person struck by a vehicle increases as the speed of that vehicle increases. As shown, increasing speed by only 10 MPH increases the likelihood of fatality by 25%.



Figure 1: Overview of Weston Avenue (Camp Phillips Road – Ryan Street)

# REQUEST FOR CONSIDERATION

Table A: Change in Travel Times with Increase Speed Limit to 45 MPH between Von Kanel Street and Ryan Street

Intersecting Street (Along Weston Avenue, Travelling West to East)	Segment Distance, Rounded (FT)	Cumulative Distance, Rounded (FT)	Current Speed Limit (MPH)	Current Travel Time (SEC)	Proposed Speed Limit (MPH)	Proposed Travel Time (SEC)	Travel Time Difference with Speed Limit Change (SEC)
Camp Phillips Rd/CTH X	0	0	---	0.00	---	0.00	0.00
Von Kanel St	2,500	2,500	35	48.70	35	48.70	0.00
Heeren St	1,330	3,830	35	74.61	45	68.85	5.76
Lindenwood Ct	1,680	5,510	35	107.34	45	94.31	13.03
Ryan St	3,560	9,070	35	176.69	45	148.25	28.44
Zinser St	3,930	13,000	45	236.23	45	207.79	28.44
Progress Way (W)	1,350	14,350	45	256.69	45	228.25	28.44
Jones St	1,270	15,620	45	275.93	45	247.49	28.44
Progress Way (E)	850	16,470	45	288.81	45	260.37	28.44
CTH J	2,910	19,380	45	332.90	45	304.46	28.44
Total Travel Time (Current → Proposed / Difference, Δ) =				5.55 MIN	→	5.07 MIN	0.47 MIN

## Impact Speed and a Pedestrian's Risk of Death

Speeding is a significant contributor to deaths on our roadways and is particularly hazardous to pedestrians. Yet, speeding remains worryingly common.



Sources: Fatality Analysis Reporting System; Early Estimates of Motor Vehicle Traffic Fatalities and Fatality Rate by Sub-Categories in 2020, DOT HS 813 118, June 2021; AAA Foundation for Traffic Safety, [Impact Speed and a Pedestrian's Risk of Severe Injury or Death](#) ; National Traffic Speeds Survey III: 2015, DOT HS 812 485, March 2018.

Figure 2: U.S. Department of Transportation: Safer Speeds - Impact Speed and a Pedestrian's Risk of Death (<https://www.transportation.gov/safe-system-approach/safer-speeds>)

**Attached Docs:**

1. WisDOT Traffic Engineering, Operations & Safety Manual (TEOpS), Traffic Regulations-Speed Limits (13-05)
2. AECOM Design Criteria Technical Memorandum, Weston Avenue (CTH X – CTH J)

**Committee Action:** CLPS did not take any action

**Fiscal Impact:** To be determined.

**Recommendation:** Staff recommends the attached changes.

### Recommended Language for Official Action

I move to \_\_\_\_\_

Or, Something else \_\_\_\_\_

Additional action: \_\_\_\_\_

## ARTICLE 82-VI SPEED LIMITS

### Sec 82.600 Speed Limits

#### §c 82.600 Speed Limits

1. A traffic and engineering investigation having been made on the following described, highways, roads and streets, the maximum permissible speed at which vehicles may be operated on said highway, road or street is herewith established as reasonable and safe pursuant to Wis. Stats §§ 346.57 and 349.11, shall be as set forth herein, subject to erection of standard signs giving notice thereof.
  - a. The maximum permissible speed for all vehicles on the following described village highway, road or street in the Village of Weston shall be 25 miles per hour:

ABITZ LANE	North from Ross Avenue to its terminus
ABRAHAM STREET	North from Callon Avenue to it terminus
ACRE AVENUE	East from Zadra Street to South Timber Street
ALAN LANE	East from Sandy Lane to Schoonover Road
ALDERSON STREET	North from State Highway 29 to Mallard Court
ALEX STREET	East from River Meadow Drive to Caleb Drive
ALTA VERDE STREET	North from Highland Avenue to Neupert Avenue
AMANDA DRIVE	South from Flambeau Street to Isaiah Street
AMIR DRIVE	South from Schofield Avenue to its terminus
ANDREA STREET	East from Brehm Street to Brianna Street
ANNABELLE COURT	East from Von Kanel Street to its terminus
ANTEOPE DRIVE	South from Decoy Street to Canoe Street
NORTH APACHE LANE	North from River Bend Road to River Bend Road
APACHE LANE	North from Trotzer Lane to River Bend Road
ARROW STREET	North from Sternberg Avenue to its terminus
ASPEN STREET	North from Sternberg Avenue to Bernard Avenue
AUGUSTINE AVENUE	East from Zadra Street to Von Kanel Street
BABL LANE	East from Ross Avenue to Morning View Lane
BARBICAN AVENUE	East from East Everest Avenue to its terminus
BARCKLAEY WAY	East from its terminus to Quirt-Sann Drive
BAYBERRY STREET	North from Ross Avenue to Concord Avenue
BAYINGTON AVENUE	South from Schmutzler Avenue to Knaack Avenue
BECKY BOULEVARD	South from Lora Lee Lane to Feith Avenue
BERNARD AVENUE	East from Birch Street to Aspen Street
EAST BERNARD AVE.	East from Crestwood Drive to Camp Phillips Road (County Road X)
BEVERLY LANE	East from Random Street to Wendy Lane
BIRCH STREET	South from Concord Avenue to Weston Avenue

BIRCHWOOD LANE	North from Terrier Lane to its terminus
NORTH BIRCH LANE	North from Neupert Avenue to Oak Avenue
SOUTH BIRCH LANE	South from Neupert Avenue to Business U.S. Highway 51
BLOEDEL AVENUE	East from Pine Park Street to Alderson Street
BOXER LANE	East from Setter Road to Labrador Road
BREHM STREET	South from Christie Lane to Andrea Street
BRIANNA STREET	South from Christie Lane to Andrea Street
BROLTA LANE	South from Sandhill Drive to Howland Avenue
BROOK COURT	East from Babl Lane to its terminus
BRUCE DRIVE	South from Northwestern Avenue to Cecil Street
BURNS STREET	North from Jelinek Avenue to its terminus
BUSKA STREET	North from Parkway Lane to Harwood Avenue
CALEB DRIVE	South from Decoy Street to Heath Street
CAMP PHILLIPS ROAD	South from Ross Avenue to Schofield Avenue
CANOE STREET	East from Sandy Lane to its East terminus
CARIBOU LANE	North from River Pointe Road to its terminus
CARTER AVENUE	East from Birch Street to Gordon Street
CASEYRAE COURT	South from Kelly Place to Teagan Lane
CASTLEBERRY CIRCLE	South from Warwick Drive to Windsor Drive
CATHY DRIVE	North from Hewitt Avenue to its terminus
CECIL STREET	South from Northwestern Avenue to its terminus
CEDAR AVENUE	East from Zadra Street to Rae James Street
CHADWICK STREET	South from Colleen Avenue to its terminus
CHEROKEE STREET	North from Trotzer Lane to Kiowa Lane
CHERRY STREET	South from Schofield Avenue to Bloedel Avenue
CHERYL <del>STREET</del> DRIVE	East from Cathy Drive to Sandy Lane
CHRISTIANSEN AVENUE	West from Kramer Lane to its terminus
CHRISTIE LANE	West from County Road J to its terminus
COLLEEN AVENUE	East from Mesker Street to Chadwick Street
COMMUNITY CENTER DRIVE	East from Birch Street to East Everest Avenue
COMPASS CIRCLE	East from Fieldcrest Lane to its terminus
CONCORD AVENUE	East from Bayberry Street to Camp Phillips Road (County Road X)
CONNIE LANE	West from Kyle Road to Mary Lane
CORONADO STREET	North from Jelinek Avenue to Cortez Lane
COROZALLA DRIVE	East from Ross Avenue to Mesker Street
CORTEZ LANE	East from Lawndale Street to Coronado Street

COUNTRY CREEK LANE	East from Alderson Street to Meadow Creek Lane
CRANBERRY BOULEVARD	East from Birch Street to Ministry Parkway

CREEL DRIVE	East from Musky Drive to Quentin Street
<b>CREST RIDGE AVENUE</b>	<b>East from Tower Ridge Place to Von Kanel Street</b>
CRESTWOOD DRIVE	South from East Bernard Avenue to Ross Avenue
<b>CROSS POINTE BOULEVARD</b>	<b>East from Birch St to Meadow Rock Drive</b>
CROSS TRAIL LANE	North from Standing Oak Drive to its terminus
CUT OFF ROAD	South from Ross Avenue to Schofield Avenue
DALEY AVENUE	East from Machmueller Street to Alta Verde Street
DANIELLE DRIVE	South from Lora Lee Lane to Feith Avenue
DAWN STREET	South from Callon Avenue to Solar Avenue
DECKER STREET	North from Callon Avenue to Scenic Drive
DECOY STREET	East from Antelope Drive to Caleb Drive
DEER STREET	North from Eau Claire Avenue to its terminus
DELIKOWSKI STREET	South from Joseph Avenue to Jelinek Avenue
DELONAY STREET	West from Normandy Street to its terminus
D.J. LANE	East from Le Duc Street to J.M. Place
DOMINIKA STREET	South from Connie Lane to its terminus
DOUGLAS LANE	East from Camp Phillips Road (County Road X) to Kirk Street
DUSK STREET	South from Callon Avenue to Solar Avenue
EAU CLAIRE AVENUE	East from Alderson Street to Camp Phillips Road (County Road X)
EDWARD STREET	South from Schofield Avenue to its terminus
ELM STREET	South from Ross Avenue to Sternberg Avenue
EL SEGUNDO AVENUE	East from Normandy Street to Alta Verde Street
ERIC STREET	South from Jason Avenue to Jelinek Avenue
<b>ESTATE DRIVE</b>	<b>North from North Apache Lane to its terminus</b>
EVEREST AVENUE	East from Volkman Street to Alta Verde Street
EAST EVEREST AVENUE	West from <b>Tower Ridge Place</b> to its West terminus
<b>EXECUTIVE COURT</b>	<b>East from Estate Drive to its terminus</b>
FEITH AVENUE	East from Teagan Lane to its terminus
FELCH DRIVE	North from Ross Avenue to its terminus
FERGE STREET	South from Post Avenue to Jelinek Avenue
<b>FIELDCREST LANE</b>	<b>North from Callon Avenue to its terminus</b>
FLAMBEAU STREET	East from Amanda Drive to Caleb Drive
FLORLANA LANE	West from West Raybelle Drive to its terminus
FOOTHILL AVENUE	West from Alta Verde Street to its terminus
<b>FOUNTAIN CIRCLE</b>	<b>North from its south terminus to its north terminus</b>
FOX RUN LANE	North from Eau Claire Avenue to its terminus
FOX STREET	South from Sternberg Avenue to Schofield Avenue

FRANCISCAN WAY	South from Ministry Parkway to Cross Pointe Boulevard
FULLER STREET	South from Ross Avenue to Schofield Avenue
GLAD STREET	South from Mount View Avenue to Schofield Avenue
GORDON STREET	South from Sternberg Avenue to Schofield Avenue
SOUTH GORDON STREET	South from North Krueger Avenue to its terminus
<b>GREEN PASTURES LANE</b>	<b>East from Birch St to its terminus</b>

HAMPTON AVENUE	East from Meuret Avenue to Northwestern Avenue
HARDWOOD AVENUE	East from Alderson Street to Buska Street
HEATH STREET	East from Shawn Drive to Caleb Drive
HEATHER STREET	South from Thomas Avenue to Rogan Lane
HERITAGE HILLS DRIVE	North from Howland Avenue to Newberry Drive
HEUSS AVENUE	East from Volkman Street to Alta Verde Street
HEWITT AVENUE	West from Sandy Lane to Pine Ridge Lane
HICKORY STREET	South from Cedar Avenue to Acre Avenue
HIDDEN RIVER CIRCLE	East from Fuller Street to Babl Lane
HIDDLE RIVER COURT	East from Hidden River Circle to its terminus
HIGHLAND AVENUE	East from its West terminus to its East terminus
HIGH RIDGE CIRCLE	South from Hidden River Circle to Hidden River Circle
HILGEMANN STREET	South from Westfair Avenue to East Jelinek Avenue
HINNER SPRINGS DR	South from Green Pastures Ln to Birch Street
HOLLY AVENUE	West from Von Kanel Street to its terminus
HORIZON COURT	East from Birch Street to its terminus
HOWLAND AVENUE	East from County Road X to Woodland Drive
HUBERT AVENUE	East from James Lee Street to Pat Street
HUNT STREET	South from Callon Avenue to Feith Avenue
ISAIAH STREET	East from River Meadow Drive to Walleye Drive
JACKRABBIT DRIVE	South from Perch Drive to Muskie Drive
JACOB STREET	West from Sandy Lane to Roxann Drive
JAEQUELYN ROAD	South from Lora Lee Lane to Feith Avenue
JAMAR STREET	South from Sternberg Avenue to Schofield Avenue
JALEN CIRCLE	West from Teagan Lane to its terminus
JAMES LEE STREET	South from Hubert Avenue to Ross Avenue
JANELLE STREET	South from Christie Lane to Andrea Street
JANICE AVENUE	West from Fuller Street to its terminus
JASON STREET	East from Eric Street to Jessica Street
JEAN ELLEN STREET	South from Sternberg Avenue to Lee Avenue
JELINEK AVENUE	East from BR US 51 to Birch Street
EAST JELINEK AVENUE	East from Camp Phillips Road (County Road X) to Municipal Street
JESSICA STREET	South from Jason Street to Jelinek Avenue
J.M. PLACE	South from D.J. Lane to Ross Avenue
JOAN DRIVE	South from Northwestern Avenue to its terminus
JONES STREET	South from Weston Avenue to its terminus
JOSEPH AVENUE	East from Alderson Street to Delikowski Street

KATHLEEN STREET	South from East Monterey Avenue to East Everest Avenue
KAYAK DRIVE	East from Tappe Drive to Canoe Street
KAZIAK CT	East from Birch Street to its terminus

KECK AVENUE	East from BR US 51 to Burns Street
KELLY PLACE	East from CaseyRae Court to Teagan Lane
KELLYLAND STREET	South from D.J. Lane to Moyer Avenue
KENNEDY AVENUE	East from South Timber Lane to Von Kanel Street
KIOWA LANE	East from Apache Lane to Cherokee Street
KIRK STREET	South from East Jelinek Avenue to East Everest Avenue
KNAACK AVENUE	East from Bayington Street to Camp Phillips Road (County Road X)
NORTH KRUEGER AVENUE	East from South Gordon Street to Edward Street
SOUTH KRUEGAR AVENUE	East from South Gordon Street to Edward Street
KYLE ROAD	South from Connie Lane to Mary Lane
LABRADOR ROAD	South from Jelinek Avenue to Setter Road
LAGUNA AVENUE	East from Normandy Street to Alta Verde Street
LANG LANE	West from Ryan Street to its terminus
LAWNDALE STREET	South from Cortez Lane to Highland Avenue
LE DUC STREET	South from D.J. Lane to Ross Avenue
LEE AVENUE	East from Linda Street to Mesker Street
LEEDS COURT	North from Leyburn Drive to its terminus
LEXINGTON COURT	West from Heritage Hills Drive to its terminus
LEYBURN DRIVE	East from Windsor Drive to Birch Street
LINDA STREET	South from Corozalla Drive to Lee Avenue
LOOK STREET	South from Barclay Way to Weiland Avenue
LORA LEE LANE	East from Shawana Street to Jaequelyn Road
LOUANN DRIVE	West from Michael Drive to River Meadow Drive
MACHMUELLER STREET	South from Jelinek Avenue to Foothill Avenue
MAKENZIE DRIVE	South from Quentin Street to Creel Drive
MAPLEFIELD WAY	South from Green Pastures Ln to Hinner Springs Drive
MAPLE STREET	South from Ross Avenue to Sternberg Avenue
MARY LANE	East from Connie Lane to Kyle Street
MC INTYRE AVENUE	East from Volkman Street to Machmueller Street
MEADOW CREEK LANE	South from Parkway Lane to Country Creek Lane
MEADOW ROCK DRIVE	South from Weston Avenue to CR-X
MEMORIAL COURT	North from Schofield Avenue to its terminus
MERIDIAN AVENUE	East from Fuller Street to Regent Street

MESKER STREET	South from Ross Avenue to East Jelinek Avenue
MEURET LANE	North from Northwestern Avenue to its terminus
MICHAEL DRIVE	North from Cheryl Drive to Alex Street

MINISTRY PARKWAY	East from Birch Street to Cranberry Boulevard
MONTEREY AVENUE	East from Lawndale Street to Alta Verde Street
EAST MONTEREY AVENUE	East from Kathleen Street to Camp Phillips Road (County Road X)
MOOSE DRIVE	South from Creel Drive to its terminus
MORNING VIEW LANE	East from Fuller Street to its terminus
MOUNT VIEW AVENUE	East from Fox Street to Schofield Avenue
MOYER AVENUE	West from Fuller Street to Kellyland Street
MUNICIPAL STREET	South from Sternberg Avenue to Stella Avenue
MUSKIE DRIVE	South from Isaiah Street to its terminus
NEUPERT AVENUE	East from Volkman Street to Alderson Street
EAST NEUPERT AVENUE	East from Alderson Street to its terminus
<b>NEWBERRY DRIVE</b>	<b>East from Heritage Hills Drive to Heritage Hills Drive</b>
NORMA AVENUE	East from Fox Street to Birch Street
NORMANDY STREET	South from Schofield Avenue to Highland Avenue
NORTHLAND STREET	South from Everest Avenue to Foothill Avenue
OAK AVENUE	East from North Birch Lane to its terminus
OAK TERRACE	South from Pine Terrace to River Pines Court
OLD COSTA LANE	South from Schofield Avenue to Mary Lane
ORION LANE	South from Howland Avenue to Crosstrail Lane
PARK RIDGE DRIVE	East from Alderson Street to Labrador Road
PARKWAY LANE	West from Meadow Creek Lane to its terminus
PAT STREET	South from Hubert Avenue to Powers Street
<b>PERCH DRIVE</b>	<b>East from Muskie Dr to its terminus</b>
PENINSULA LANE	From north terminus to south terminus
PHEASANT RUN COURT	South from Howland Avenue to its terminus
PINE PARK STREET	South from Schofield Avenue to Jelinek Avenue
PINE RIDGE LANE	South from Hewitt Avenue to Riverfront Place
PINE STREET	South from village limits to Schofield Avenue
PINE TERRANCE	From its west terminus to Oak Terrace
PLEASANT VIEW DRIVE	East from Alderson Street to Eau Claire Avenue
POINTE ROAD	East from Alderson Street to its terminus
PORTAGE STREET	South from Canoe Street to Quentin Street
POST AVENUE	East from Volkman Street to Normandy Street

POWERS STREET	South from Richards Avenue to Ross Avenue
PRAIRIE STREET	South from Westfair Avenue to East Jelinek Avenue

PRIEBE AVENUE	East from Volkman Street to BR US 51
PROGRESS WAY	North from Weston Avenue to Weston Avenue
PUFFER STREET	South from Beverly Lane to Mallard Court
QUENTIN STREET	(east segment) East from Tappe Drive to its terminus
QUENTIN STREET	East from Amanda Drive to Caleb Drive
QUIRT SANN DRIVE	South from Ross Ave to Weiland Avenue
RADTKE AVENUE	West from Elm Street to its terminus
RAE JAMES STREET	South from Cedar Avenue to Holly Avenue
RANDOM STREET	South from Vern Lane to Mallard Court
RANDY JAY STREET	South from East Jelinek Avenue to Douglas Lane
RANDYLYN STREET	South from Feith Avenue to Ryan Amy Drive
EAST RAYBELLE DRIVE	East from West Raybelle Drive to Eau Claire Avenue
WEST RAYBELLE DRIVE	South from East Raybelle Drive to Eau Claire Avenue
RED OAK COURT	East from River Bend Road to its terminus
REGENT STREET	South from Saxon Avenue to Meridian Avenue
RICHARDS AVENUE	East from James Lee Street to Pat Street
RICHFLEX STREET	South from Mount View Avenue to its terminus
RICKYVAL STREET	South from Ryan Amy Drive to its terminus
<b>RIDGE POINT CIRCLE</b>	<b>East from Tower Ridge Place to its terminus</b>
RIPPLING CREEK DRIVE	East from its terminus to Antelope Drive
RIVER BEND ROAD	South from Ross Avenue to Trotzer Lane
RIVERFRONT PLACE	East from west terminus to east terminus
RIVER MEADOW DRIVE	North from Louann Drive to Winding Creek Road
RIVER PINES COURT	South from Ross Avenue to its terminus
RIVER POINTE LANE	East from Caribou Lane to Peninsula Lane
ROBIN STREET	South from Douglas Lane to East Everest Avenue
ROCK RAPIDS ROAD	South from Hewitt Avenue to Wenonah Drive
RODNEY STREET	South from East Jelinek Avenue to Douglas Lane
RODS WAY	East from County Highway J to Caribou Lane
ROGAN LANE	East from Fuller Street to Heather Street
ROSE STREET	South from Mount View Avenue to its terminus
ROSSENBACH AVENUE	West from Pine Street to its terminus
ROXANN DRIVE	West from Michael Drive to Jacob Street

RUDOLPH DRIVE

North from Eau Claire Avenue to Deer Street

RYAN AMY DRIVE	East from Randylyn Street to Rickyval Street
RYAN STREET	<del>South from Lang Lane to North from</del> Schofield Avenue <del>to River Trail Drive</del>
SANDGATE COURT	West from Windsor Drive to its terminus
SANDHILL DRIVE	East from Alderson Street to Broлта Lane
SANDY LANE	North from Ross Avenue to <del>Winding Creek Drive</del>
SARUS LANE	East from Alderson Street to Siberian Drive
SAXON AVENUE	East from Fuller Street to Regent Street
SCENIC DRIVE	East from its west terminus to its east terminus
SCHMUTZLER STREET	East from Bayington Street to Camp Phillips Road (County Road X)
SCHOONOVER ROAD	South from Alan Lane to Ross Avenue
SCOTT STREET	South from Corozalla Drive to Lee Avenue
SERVICE LANE	West from Zinser Street to its terminus
SETTER ROAD	South from Boxer Lane to Labrador Road
SHAWN DRIVE	South from Alex Street to Heath Street
SHAWNA STREET	South from Lora Lee Lane to Feith Avenue
SHEPHERD LANE	South from Park Ridge Drive to Park Ridge Drive
SHIRLEY AVENUE	East from Von Kanel Street to Heeren Street
SHOREY AVENUE	East from Alderson Street to Camp Phillips Road (County Road X)
SIBERIAN DRIVE	West from Broлта Lane to its terminus
SILVER HAWK WAY	South from its terminus to Rippling Creek Drive
SKI LANE	South from Kostuck Lane to its terminus
SOLAR AVENUE	East from Dusk Street to Dawn Street
STANDING OAK DRIVE	South from Howland Avenue to its terminus
STELLA AVENUE	East from Municipal Street to Old Costa Lane
<del>STERNBERG AVENUE</del>	<del>East from Alderson Street to Fox Street</del>
STERBERNG AVENUE	East from Fox Street to Municipal Street
STONE RIDGE DRIVE	North from <del>Cross Pointe Boulevard</del> to Weston Avenue <del>to its terminus</del>
SUNSET STREET	North from Holly Avenue to its terminus
SYNERGY COURT	South from Venture Circle to its terminus
TANYA STREET	South from Tricia Avenue to Heather Street
TAPPE DRIVE	North from Isaiah Street to <del>its terminus</del> <del>Quentin Street</del>

TAPPE DRIVE	<del>South from its terminus to Quentin Street</del>
TEAGAN LANE	South from Schofield Avenue to Feith Avenue

TERRIER LANE	East from Birchwood Lane to Birch Street
THOMAS AVENUE	East from Chadwick Street to Heather Street
SOUTH TIMBER STREET	South from Ross Avenue to Holly Avenue
TOWER RIDGE PLACE	South from E Jelinek Avenue to East Everest Avenue
TRANSPORT WAY	East from Camp Phillips Road (County Road X) to its terminus
TRICIA AVENUE	East from Fuller Street to its terminus
TROTZER LANE	West from Kramer Lane to Apache Lane
TWIN PINES LANE	South from Babl Lane to Morning View Lane
VERN LANE	East from Random Lane to Wendy Lane
VOLKMAN STREET	North from Mc Intyre Avenue to BR US 51
VON KANEL STREET	South from Corozalla Drive to its terminus (State Highway 29)
WALLEYE DRIVE	North from Creel Drive to Isaiah Street
WALNUT STREET	South from Cedar Avenue to Acre Avenue
WARWICK DRIVE	West from Windsor Drive to its terminus
WEILAND AVENUE	East from <del>Alderson Fox</del> Street to Birch Street
WENDY LANE	South from Vern Lane to Beverly Lane
WENONAH DRIVE	South from Hewitt Avenue to Rock Rapids Road
WESTFAIR AVENUE	East from Prairie Street to Hilgemann Street
WESTON PINES LANE	West from Camp Phillips Road (County Road X) to its terminus
WESVIEW BOULEVARD	West from Camp Phillips Road (County Road X) to Stone Ridge Drive
WINDING RIDGE WAY	West from Camp Phillips Road (County Road X) to its terminus
WILLOW STREET	South from Schofield Avenue to Bloedel Avenue
WINDEMERE PLACE	North from Shorey Avenue to its terminus
WINDING CREEK DRIVE	East from River Meadow Drive to Sandy Lane
WINDSOR DRIVE	South from Warick Drive to Birch Street
WOODLAND DRIVE	South from Shorey Avenue to Howland Avenue
ZANDRA STREET	South from Sternberg Avenue to Acre Avenue
ZINSER STREET	South from Callon Avenue to Schofield Avenue

- b. The maximum permissible speed for all vehicles on the following described village highway, road or street in the Village of Weston shall be 30 miles per hour:

CAMP PHILLIPS ROAD

South from Schofield Avenue to State Highway 29

ZINSER STREET	South from State Highway 29 to Weston Ave.
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- c. The maximum permissible speed for all vehicles on the following described village highway, road or street in the Village of Weston shall be 35 miles per hour:

ADVENTURE WAY	East from County Road J to its terminus
ALDERSON STREET	South from Weston Avenue to Howland Avenue
BIRCH STREET	South from Weston Avenue to Shorey Avenue
BR US 51	South from north village limits to 100' north of Volkman Street
CALLON AVENUE	East from <del>Schofield Avenue</del> Hunt Street to County Road J
CAMP PHILLIPS ROAD	North from Ross Avenue to North Village limits
CAMP PHILLIPS ROAD	South from State Highway 29 to Weston Avenue
COMMERCE DRIVE	East from Ryan Street to its terminus
COUNTY HIGHWAY J	North from Schofield Avenue to North Village limits
ENTERPRISE WAY	South from Schofield Avenue to its terminus
HARNEY AVENUE	East from Heeren Street to its terminus
HOWLAND AVENUE	East from Alderson Street to County Road X
KRAMER LANE	South from Ross Avneue to Trotzer Lane
KOSTUCK LANE	East from Willard Lane to its terminus
MALLARD COURT	East from Alderson Street to Puffer Street
<del>NICK AVENUE</del>	<del>West from Heeren Street to its terminus</del>
NORTHWESTERN AVENUE	West from Camp Phillips Road (County Road X) to west village limits
ROSS AVENUE	East from Metro Drive to Powers Street
RYAN STREET	South from Schofield Avenue to Feith Avenue
SCHOFIELD AVENUE	East from BR US 51 to .1 mile <del>east west</del> of Von Kanel Street
TECHNOLOGY DRIVE	West from Enterprise Way to its terminus
VENTURE CIRCLE	South from Enterprise Way to Enterprise Way
VOLKMAN STREET	North from south village limits to Mc Intyre Avenue
VON KANEL STREET	South from its north terminus (State Highway 29) to Weston Avenue
WESENECK STREET	West from County Road J to its terminus
WESTON AVENUE	East from Alderson Street to <del>Ryan Street Camp Phillips Road (County Road X)</del>
WILLARD LANE	North from Callon Avenue to Kostuck Lane

ZINSER STREET

South from Schofield Avenue to State Highway 29

- d. The maximum permissible speed for all vehicles on the following described village highway, road or street in the Village of Weston shall be 40 miles per hour:

SCHOFIELD AVENUE	East from .1 mile west of Von Kanel Street to County Road J
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- e. The maximum permissible speed for all vehicles on the following described village highway, road or street in the Village of Weston shall be 45 miles per hour:

CAMP PHILLIPS ROAD	South from Weston Avenue to South Village limits
COUNTY HIGHWAY J	North from 200 feet south of State Highway 29 to Schofield Avenue
HEEREN STREET	South from Weston Avenue to Nick Avenue
ROSS AVENUE	East from Powers Street to <del>Kramer Lane</del> Pauls Avenue
RYAN STREET	South from Feith Avenue to Shorey Avenue
SHOREY AVENUE	East from Camp Phillips Road (County Road X) to Zinser Street
WESTON AVENUE	East from <del>Camp Phillips Road (County Road X)</del> Ryan Street to County Road J
ZINSER STREET	South from Weston Avenue to Shorey Avenue

- f. The maximum permissible speed for all vehicles on the following described village highway, road or street in the Village of Weston shall be 55 miles per hour:

COUNTY HIGHWAY J	South from 200' south of State Highway 29 to south village limits
<del>KEMIECIK STREET</del>	South from Shorey Avenue to its terminus
<del>NICK AVENUE</del>	<del>West from Heeren Street to its terminus</del>
SCHOFIELD AVENUE	East from County Road J to east village limits
WESTON AVENUE	East from County Road J to east village limits

- g. The maximum permissible speed for all vehicles on the following described village highway, road or street in the Village of Weston shall be 65 miles per hour:

STATE HIGHWAY 29	East from west village limits to east village limits
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2. In the absence of a specific speed limit for newly constructed highways, roads or streets in essentially residential and commercial subdivisions, the speed limit shall be 25 miles per hour. A traffic survey shall be conducted in order to determine the appropriateness of that limit when the subdivision is completed. In light of that traffic survey the speed limit may be adjusted by ordinance for specific highways, roads or streets.

(Ord. Of 4-19-04, Ord. Of 9-20-04, Ord. Of 4-9-05, Ord. of 6-6-05, Ord. of 11-11-05, Ord. Of 8-25-06, Ord. of 3-5-10, Ord. of 6-10-10; Ord. of 12-23-11, Wis. Stats. §§ 346.57 and 349.11)

#### HISTORY

Amended by Ord. [Chapter 82 Sec. 82.200 Speed Limits](#) on 11/29/2000  
Amended by Ord. [Chapter 82 Sec. 82.200 Speed Limits](#) on 8/25/2001  
Amended by Ord. [Chapter 82 Sec 82.200 Speed Limits](#) on 4/25/2004  
Amended by Ord. [Chapter 82 Sec 82.200 Speed Limits](#) on 9/24/2004  
Amended by Ord. [Chapter 82 Sec 82.200 Speed Limits](#) on 4/9/2005  
Amended by Ord. [Chapter 82 Sec 82.200 Speed Limits](#) on 5/13/2005  
Amended by Ord. [Chapter 82 Sec 82.200 Speed Limits](#) on 6/22/2005  
Amended by Ord. [Chapter 82 Sec 82.200 Speed Limits](#) on 11/11/2005  
Amended by Ord. [Chapter 82 Sec 82.200 Speed Limits](#) on 8/25/2006  
Amended by Ord. [Chapter 82 Sec 82.200 Speed Limits](#) on 3/5/2010  
Amended by Ord. [Chapter 82 Sec 82.200 Speed Limits](#) on 6/10/2010  
Amended by Ord. [Chapter 82 Sec 82.200 Speed Limits](#) on 12/23/2011  
Amended by Ord. [15-016](#) on 9/10/2015  
Amended by Ord. [15-027](#) on 11/18/2015  
Amended by Ord. [18-006](#) on 3/27/2018  
Renumbered by Ord. [18-017](#) on 7/19/2018



## Traffic Engineering, Operations & Safety Manual

Chapter 13 Traffic Regulations

Section 5 Speed Limits

### 13-5-1 Statutory Authority and the Approval Process

November 2024

Speed limits are absolute limits that are established for a roadway under ideal conditions. They also help traffic enforcement by setting standards for what is an unsafe speed. Setting speed limits appropriately helps to reduce the significant risks drivers impose on others – especially vulnerable road users.

The concept of establishing speed limits is based upon the nationally accepted principle that the majority of drivers are cautious, prudent and drive at speeds that are reasonable, regardless of the posted speed limit. This “reasonable and prudent” theme is part of the Wisconsin State Statutes in ss. [346.57 \(4\)](#) and ss. [349.11 \(7\)](#).

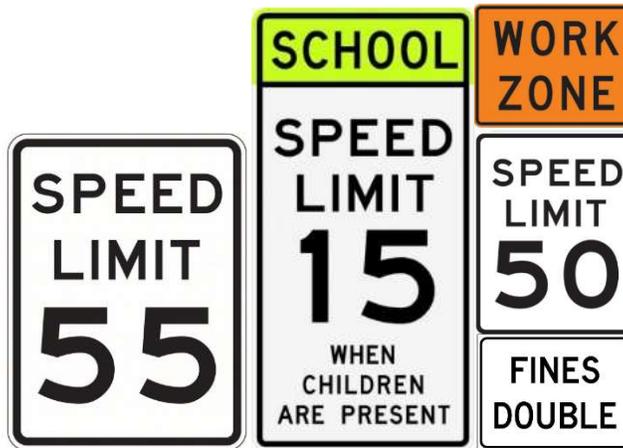
The policy described within aligns with Wisconsin State Statutes and the [Wisconsin Manual on Uniform Traffic Control Devices](#) (WMUTCD) [1].

### 13-5-2 Types of Speed Limits

November 2024

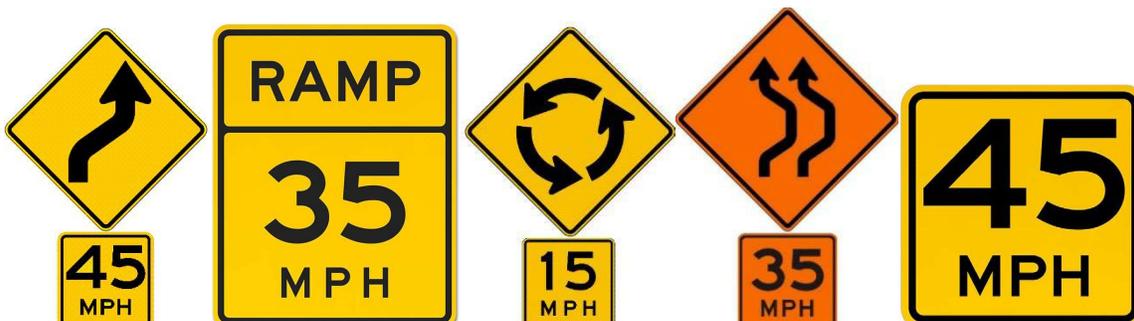
#### Regulatory

Speed limits posted with a white background and black legend sign are maximum speed limits that a road user must adhere to under average or ideal conditions. These are referred to as regulatory speed limits and examples are shown below. Regulatory speed limits are absolute speed limits, above which it is unlawful to drive regardless of roadway conditions, traffic volumes, pedestrian presence, school activity, highway construction or maintenance workers or other factors.



#### Advisory

Speed limits posted with a yellow or orange background with black legend sign are warning signs used to advise a road user of a recommended driving speed for an upcoming road condition or hazard. These are used in situations where there is a small section of road that *should* be traveled at a lower speed. These can be used at curves, intersections with reduced visibility, or within work zones. These signs are advisory and not enforceable in Wisconsin unless a driver is driving too fast for conditions. Below are examples of advisory speed limits.



**13-5-3 Types of Regulatory Speed Limits****November 2024****Statutory Speed Limits**

Statutory speed limits are established by state law and are based on the classification (or type) of roadway (e.g., 70 mph on freeways, 45 mph on rustic roads). Statutory speed limits in Wisconsin are governed by ss. [346.57](#) which establish maximum/minimum speed limits for all roadways. These limits are established legislatively and are applied throughout Wisconsin on public roadways. Statutory speed limits ensure a limit is in place on all roads.

**Modified Speed Limits (Modifications to Statutory Speed Limits)**

Modified speed limits are typically established on roadways where the statutory speed limit or existing limit is no longer appropriate due to a change in land use, road design, access, traffic volumes, construction/maintenance activity, or number of crashes or crash potential along a roadway. Modified speed limits *should not* be used to address spot safety issues. Often, other engineering countermeasures are more appropriate to address safety issues.

Unless speed limits are set initially by state statutes (statutory speed limits), all speed limits in Wisconsin must be established through an engineering and traffic investigation.

Speed limits that are not used in Wisconsin are as follows:

- Nighttime speed limits – limits that are adjusted based on day or night conditions.
- Minimum speed limits – limits establishing the lowest allowable speed for a roadway.
- Specialty vehicle speed limits (e.g., trucks, golf carts, etc.) – limits applied to certain classes of vehicles.
  - Exceptions include: [All-Terrain Vehicles \(ATV\) and Utility Terrain Vehicles \(UTV\)](#)
- Seasonal speed limits – limits that are applied for a specified period(s) during the year, generally at locations with significantly different levels of roadside activity at different times (e.g., high traffic tourist area popular in summer).

**13-5-4 Definitions****November 2024**

An engineering and traffic investigation is the analysis and evaluation of available pertinent information including, but not limited to, the safety and operational efficiency of all road users, and the application of appropriate principles, provisions, and practices as contained in the [WMUTCD](#).

The following provides definitions of information typically included within an engineering and traffic investigation.

**Roadway Context Terminology**

Roadway Geometry is information on the roadway facility's features and dimensions such as lane widths, shoulder widths, curb and gutter presence, curves, sidewalk/pathways, presence of lighting, and available sight distance.

Traffic Volume is used to describe the number of vehicles at a given location on an average day of the year. This is often expressed as either an Average Daily Traffic (ADT) or Annual Average Daily Traffic (AADT) count.

Area Type is a designation for the setting of the environment where the roadway facility is located. There are three area types:

- Urban – locations that have a population of 5,000 or greater. In urban settings there is minimal undeveloped land and several buildings including schools, commerce centers and others.
- Rural – locations that have a population less than 5,000. In rural settings there are typically large areas of undeveloped land with minimal buildings or residences. These may include small towns and unincorporated communities.
- Suburban – transitional areas between rural and urban settings. These typically are locations that are built up areas on the outskirts of cities and villages.

Functional Classification is a transportation planning term that defines how a route *should* perform in serving the flow of traffic through a highway network. It is the grouping of highways, roads and streets by the character of

service they provide (e.g., principal arterial, minor arterial, collector (major/minor), local street).

Vulnerable Road User encompasses non-motorists including people walking, biking or rolling. These include pedestrians, bicyclists, other cyclists, and individuals utilizing other means of personal transportation.

### Speed Terminology

Operating Speed (Free-Flow Speed) is defined as the speed at which a driver operates a typical vehicle, or a speed at which the overall traffic operates during free-flow conditions. Free-flowing speed is defined as conditions in which a driver has the ability to choose a speed of travel without undue influence from other traffic, traffic control devices (e.g., traffic signals, roundabouts), conspicuous police presence, or environmental factors. In other words, the driver of a free-flowing vehicle chooses a speed that they find comfortable on the basis of the appearance of the road [2] [3]. WisDOT measures free-flowing vehicle speeds when there is a gap of five seconds or more between vehicles per lane.

Design Speed is the speed selected during the roadway design process that determines the various geometric design features of the roadway such as horizontal alignment, vertical alignment, and cross-section design elements [4]. This includes lane widths, shoulder widths, curb and gutter presence, curves, and available sight distance.

The following are definitions for speed-related performance metrics:

- 85th Percentile Speed is the speed at or below which 85 percent of the sample of free-flowing vehicles travel.
- 50th Percentile Speed (also known as the median speed) is the speed at which 50 percent of the sample of free-flowing vehicles travel.
- Average speed is the typical speed of the sample of free-flowing vehicles. This is calculated by taking the sum of all observed speeds within the same sample and dividing by the total number of observations.
- Pace is the 10-mph range of travel speeds containing the largest number of observed vehicles. This is a metric used to assess the speed dispersion or spread of vehicle speeds. A normal speed dispersion *should* have approximately 70% of the vehicles within this 10-mph range.
- Speed variance is the difference in travel speeds of vehicles traveling on the same stretch of roadway simultaneously. Large speed variances increase the potential for crashes.

### Roadway Classifications

State Trunk Highways (STH) are highways that include both Wisconsin State Highways and United States (US) Highways that are maintained by WisDOT. In Wisconsin, these are highways designated with numbers.

County Trunk Highways are highways maintained by County Highway Departments or other municipalities. In Wisconsin, these are highways designated with letters.

Local Streets are roadways that are maintained by incorporated municipalities (i.e., villages/cities) that serve primarily residential traffic and provide a connection between highway systems.

Town Roads are typically low-volume roadways that are maintained by townships.

Rustic Roads are roadways designated by the Rustic Roads Board which have characteristics that promote natural features or wildlife and low volume for the purposes of recreational enjoyment. For more information see the [Rustics Road webpage](#).

Alleys are roadways that are narrow passages between or behind development.

Freeways are high-speed roadways that are access-controlled, and all crossroads are grade-separated (i.e., interchanges/overpasses).

Expressways are high-speed roadways that are partially access-controlled, and crossroads can be either at-grade intersections or grade-separated (i.e., interchanges/overpasses).

### Other

Variable speed limits are limits that can dynamically change based on traffic, weather or other conditions.

Connecting Highways are local streets and roads that carry state highway travel and are marked as STHs through cities and villages.

Outlying district is an area contiguous to any highway within the corporate limits of a city or village where on each side of the highway within any 1,000 feet, buildings are spaced on average more than 200 feet apart.

Semiurban district is an area contiguous to any highway where on either or both sides of the highway within any 1,000 feet, buildings are spaced on average less than 200 feet apart.

### 13-5-5 Background

November 2024

Modified speed limits are typically established on roadways where the statutory speed limit or an existing speed zone is no longer appropriate due to changes in land use, access, traffic volumes, number of crashes or crash potential along the highway. Speed zoning is a means of establishing uniform regulatory speed limits for similar driving conditions throughout the state. It is a means of informing motorists who may be unfamiliar with the road of the "reasonable" driving speeds under ideal operating conditions. Speed limits are established under ideal conditions and not based on temporary situations (e.g., construction, seasonal variations in traffic/pedestrian volumes, special events).

Unreasonably low speed limits, also called irrational speed limits, are not effective in changing driver behavior and have several negative effects. While irrational speed limits do not result in desired driver behavior, resulting negative effects include higher financial cost due to the need for increased enforcement, higher potential for crashes due to larger variability in vehicle speeds, and encouragement of motorist disregard of other, rational posted speed limits. Irrationally low speed limits also promote a false sense of security among residents and pedestrians who may expect that posting lower limits will change drivers' speed behavior.

Driving environment is the main influence on motorists' speeds. Drivers rely heavily on cues from the roadway environment to judge how fast they are traveling. The primary basis for how a motorist estimates their speed is the visual sensation they observe from the roadway geometrics (e.g., lane width, presence of curves, on-street parking, access along the roadway, bicycle and pedestrian activity, sidewalks/pathways, presence of lighting, etc.) and other information about objects in their immediate vicinity. Roadway design and driving environment *should* be balanced to achieve the following goals [2]:

- The driver's perceptual experience of the roadway *should* be consistent with the intended travel speed
- There *should* be some consistency between relevant roadway cues and the posted regulatory speed.

### 13-5-6 Authority

November 2024

The statutory authority for establishment of regulatory speed limits is provided in ss. [346.57](#) and ss. [349.11](#). These statutes vest WisDOT with the authority to establish regulatory speed limits on the state trunk highway system. Furthermore, the statutes provide WisDOT with approval authority (refer to ss. [349.11\(3\)\(c\)](#)) for some regulatory speed limits that local units of government establish.

Statutes define that all speed limit changes **shall** be based on an engineering and traffic investigation, including modifications allowed under Statute. An engineering and traffic investigation **shall** be performed by a registered professional engineer with appropriate traffic engineering expertise and/or experience in traffic engineering studies, or by an individual working under the supervision of such an engineer, through the application of procedures and criteria established by the engineer. An engineering and traffic investigation **shall** be documented in writing.

### Connecting Highway

Connecting highways are local streets and roads that carry state highway traffic and are marked as State Trunk Highways. Wisconsin ss. [84.02\(11\)](#) and ss. [86.32\(1\)](#) define connecting highways and the funding provided to maintain these roadways. Connecting Highway funding aids are used to maintain these streets and roads at state trunk highway system standards and compensate local governments for the incremental costs of through-traffic routed over municipal streets. For more information see the [Connecting Highway webpage](#).

Connecting Highway speed limits are maintained by the respective municipality. Wisconsin ss. [86.32](#) states such maintenance, operation and traffic control of the connecting highways and swing and lift bridges **shall** be subject to review and approval by WisDOT.

Municipalities that maintain connecting highways are responsible for the maintenance and traffic control of the roadway which includes establishing speed limits. Thus, local authorities responsible for these roadways **shall** follow information within [Table 6.1](#) to establish speed limits. Proposed changes to speed limits on these facilities

that impact the operation of connecting highways **shall** be subject to review and approval by WisDOT.

## Approval Authority

### Local Government

- Local units of government, under their respective maintenance jurisdictions, can approve speed limit modifications as allowed in [Table 6.1](#).
- When speed limits are recommended outside of the approval authority defined by ss. [349.11](#), local units of government are required to coordinate with WisDOT. For information on how to request WisDOT to review a speed limit modification, see [TEOpS 13-5-7.1](#).
- Local units of government *should* follow the guidance outlined within [TEOpS 13-5](#) to satisfy the requirements of an engineering and traffic investigation.

**Table 6.1** Speed Limits and Local Authority

Statutory (Fixed) Limits per ss. <a href="#">346.57(4)</a>	What Local Governments <sup>(a)</sup> can do per ss. <a href="#">349.11(3)</a> and <a href="#">(7)</a>
70 mph – Freeway/Expressway	N/A
65 mph – Freeway/Expressway	N/A
55 mph – State Trunk Highway	N/A
55 mph – County Trunk Highway	Lower the speed limit to 50 or 45 mph
55 mph – Town Road	Lower the speed limit to 50 or 45 mph
45 mph – Rustic Road	Lower the speed limit to 40, 35 or 30 mph
35 mph – Town Road with average driveway spacing less than 150 feet	Lower the speed limit to 30 or 25 mph
25 mph – Inside corporate limits of a city or village	Raise the speed limit up to 55 mph Lower the speed limit to 20 or 15 mph
15 mph – Street or Town Road adjacent to a public park	Lower the speed limit to 10 or 5 mph
15 mph – Alley	Lower the speed limit to 10 or 5 mph
15 mph – Pedestrian Safety Zone (with a public transit stop)	No changes permitted
Construction or temporary maintenance zones	See <a href="#">TEOpS 13-5-16</a> and <a href="#">13-5-17</a>
School zone/School crossing	See <a href="#">TEOpS 13-5-12</a>
Connecting Highway	Subject to WisDOT approval
(a) All speed limit changes shall be based on an engineering and traffic investigation, including modifications allowed under Statute. Local governments can implement speed limit changes on the local road system without WisDOT approval when proposals are within the constraints identified above.	

### WisDOT Regional offices

- Regional offices are authorized to approve speed limit changes on local roads and streets, including county trunk highways, where those changes fall outside the authorized limits that the local authorities *may* exercise as specified in the statutes.
- Regional offices are authorized to establish reductions in speed limits in construction zones on a temporary basis while the need for the reduction exists.
- Regional offices are authorized to approve speed limits which fall within 5 mph of the measured 85th percentile speed and no more than 2 mph below the measured average speed, or where speed limits are established based on statutory requirements. In the absence of speed information, regional staff **shall** coordinate with WisDOT Bureau of Traffic Operations (BTO). Exceptions include:
  - Adjusting speed limits due to relocations from development, access modifications or adjusting due to signage requirements. Extensions *should not* exceed 300' without BTO approval. Speed studies *may* be required for extensions due to these changes.
  - Construction of new roadway facilities or reconstruction of existing facilities in which speeds are posted in accordance with the design speed. If speeds are posted below the design speed, coordination with BTO is required.

**WisDOT Bureau of Traffic Operations (BTO)**

- The following **shall** be approved by the Traffic Analysis and Safety Unit (TASU) within BTO:
  - Speed limits not meeting the criteria defined above and within [Table 6.1](#).
  - Speed studies that are not able to collect speed data (e.g., short roadways).
  - Modifications or proposed modifications on expressways/freeways with posted speeds greater than or equal to 65 mph.
  - Use of variable speed limits.

**13-5-7 Engineering and Traffic Investigation Procedure** **November 2024**

**Request Process**

Requests to review a speed zone on the State Trunk Highway (STHs) **shall** be submitted in writing by a local unit of government or County Traffic Safety Commission and include the following:

- Current regulatory speed limit and begin/end points
- Proposed regulatory speed limit
- Proposed begin/end points of proposed zone(s)
- Reasoning for the request (e.g., change in land use, access, traffic volumes, crash trends)

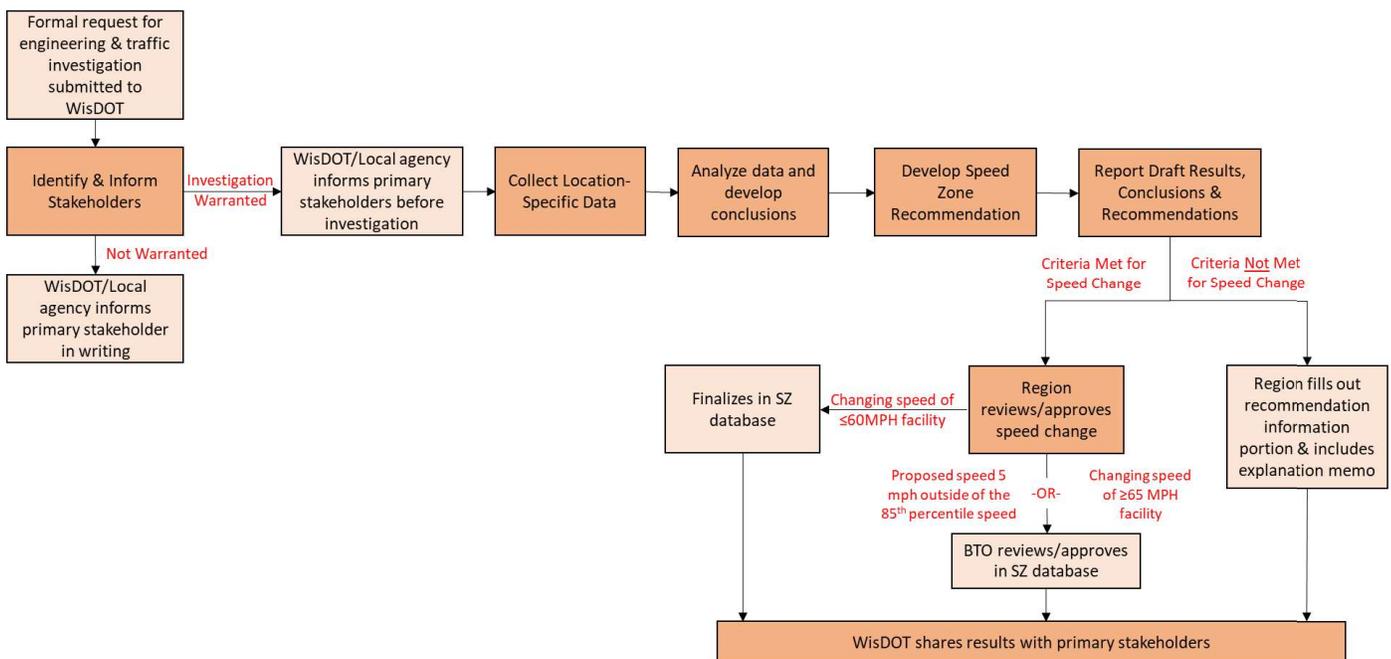
For contact information, please see the WisDOT [Speed Limits webpage](#).

Upon receipt of request, WisDOT will then determine if a review of the speed limit is appropriate. WisDOT does not entertain requests to modify speed limits from individual citizens or advocacy groups. Considerations for speed limit adjustments **shall not** be based solely on the following:

- Noise complaints
- Accommodating specialty vehicles (e.g., ATV/UTV)
- Correcting spot safety concerns
- Future concerns that have not yet occurred (e.g., future development, future roadway improvements)

If an engineering and traffic investigation is warranted, WisDOT will then follow a process outlined in [Figure 7.1](#).

**Figure 7.1 Engineering and Traffic Investigation Process**



## Requirements

For a speed limit to be effective, it *should*:

- Reflect consistent application of traffic engineering principles
- Be a reasonable speed so the majority of drivers will comply voluntarily
- Be based on ideal or average conditions and not temporary situations (e.g., construction, seasonal variations in traffic/pedestrian volumes, special events)
- Local units of government *should* follow the guidance outlined within this manual to satisfy the requirements of an engineering and traffic investigation.
- For state-maintained highways, a traffic engineer with a Wisconsin Professional Engineer License is required to approve a speed limit modification.

An engineering and traffic investigation **shall** include the following section headings. Include information within each section as appropriate based on the study location.

### 1. Roadway Context Information

- Primary function or purpose of roadway (e.g., residential street, thoroughfare, commuter route, freight route, recreational route, etc.)
- Roadway environment (e.g., development adjacent to the road, average building setback, and types of land use)
- Roadway characteristics (e.g., number of lanes, lane widths, shoulder type and width, roadway curvature, median type, sight distance, presence of curb and gutter, etc.)
- Roadside features (e.g., presence of and distance to roadside hazards including trees, rock outcrops, street furniture, embankments, edge drop-off, side slopes, water bodies, etc.)
- Area Type (e.g., urban, suburban, rural)
- Access density (e.g., number and type of driveways and intersections, etc.)
- Road users (e.g., pedestrians, bicyclists, ATV/UTV, horse and buggies, other vulnerable road users, etc.)
- Traffic Volumes (e.g., AADT/ADT, truck volumes and proportions, pedestrian and bicycle volumes, etc.)
- Public transit volume and location or frequency of stops
- Other information relevant to the roadways purpose and function (e.g., parking practices, functional classification, design speed, etc.)

### 2. Safety Information

- Years reviewed (minimum of 3 years of reported crash history)
- Number and type of crashes
- Number of injury and fatal injury crashes
- Number of vulnerable road user crashes

### 3. Speed performance metrics

- 85th percentile speed
- 50th percentile speed
- Average speed
- Pace

### 4. Other relevant information

- Review of past speed studies to identify any trends in operating speeds

- Recent significant changes (traffic control changes, speed limit adjustments, lane adjustments, new development, etc.)
- Current level of enforcement

For urban and suburban roadways, and on rural roadways that serve as main streets through developed areas of communities, speed performance metrics *should not* be used as the sole criterion to establish speed limits without consideration of roadway context factors described above. On a freeway, expressway, or rural highway (outside urbanized locations or conditions), the speed limit that is posted *should* be within 5 mph of the 85th percentile speed of free-flowing traffic as long as all the factors described within the roadway context section of this policy have been considered and determined to be non-mitigating.

After analyzing information collected above as part of an engineering and traffic investigation, the analyst **shall** use it to develop and support speed zone recommendations. The engineering and traffic investigation **shall** provide a recommendation indicating whether conditions warrant a need to modify the speed limit of the studied section of roadway or not. Decisions regarding the potential change in a speed limit *should* be based on the objective findings of the engineering and traffic investigation and on conditions that exist at the time of the evaluation.

There are expert system tools available to aid in the process of determining appropriate speed limits which can be used to supplement the requirements listed above:

- [USLIMITS2](#)
- [NCHRP 966: Posted Speed Limit Setting Procedure and Tool](#)

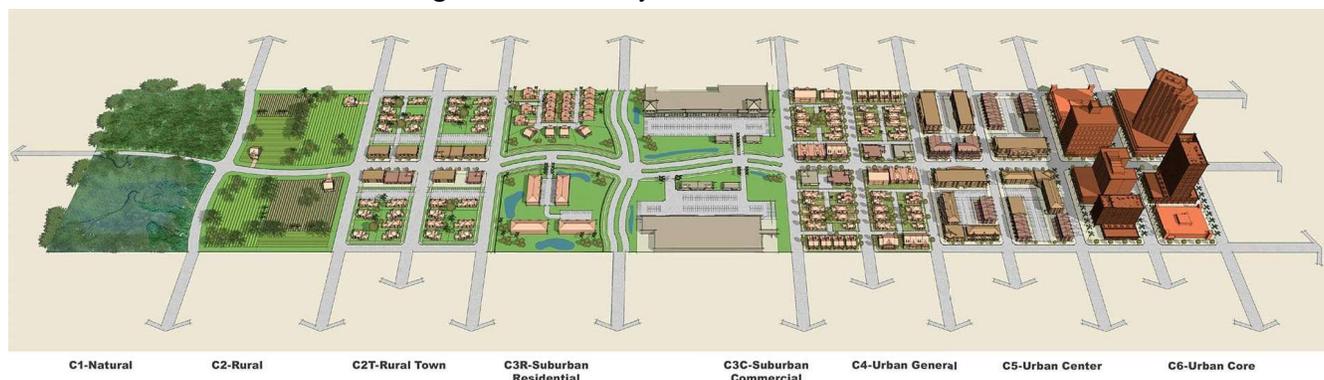
### 13-5-8 Transitioning between Speed Limits

November 2024

Roadway context and environmental factors play a critical role in establishing appropriate speed limits. Drivers must perceive the need to transition from one speed to another. Development density adjacent to the roadway, building setback distance, the number of streets and driveways that access the roadway, sight distance, roadway features including the presence of curb and gutter, shoulders, medians, sidewalks, pedestrians, bicyclists, and other vulnerable road users provide cues to the driver based on their past experiences. Other aspects considered when setting appropriate speed limits are the number and type of crashes observed, traffic volumes, and observed speeds.

[Figure 8.1](#) illustrates several different roadway context scenarios.

**Figure 8.1** Roadway Context Classifications



Source: *Florida DOT's context classification, 2020* [5]

[Table 8.1](#) provides planning-level speed limit recommendations based on the roadway context classifications.

**Table 8.1** Design speeds based on context classifications

Context Category	Design Speeds (mph)
Natural	55
Rural	45, 50, 55
Rural Town	40, 45
Suburban Residential	35, 40, 45
Suburban Commercial	35, 40, 45
Urban General	25, 30
Urban Center	20, 25, 30
Urban Core	20, 25, 30

Minimum speed zone lengths *should* follow the guidance in [Table 8.2](#). Engineering judgement *should* be used in determining the appropriate length given the roadway context. If conditions require lengths shorter than those described below, coordinate with BTO's Traffic Analysis and Safety Unit for approval.

**Table 8.2** Minimum length of speed zones

Speed Limit (mph)	Minimum Length (miles)
≤40	0.3
45, 50, 55	0.6
60, 65, 70	1.0

**Note:** Adjusted values from *Methods and Practices for Setting Speed Limits* [6]

### Speed Zone Termination Points

The begin and end points of a speed zone *should* be located in locations with adequate sight distance and in advance of where the roadway environment changes (e.g., driveway density, lane transitions, curb and gutter presence, etc.) such that a driver may expect a different speed.

When the roadway environment or roadway characteristics change (e.g., driveway density, lane transitions, curb and gutter presence), the regulatory speed limit sign **shall** be located at the changed condition. Examples include placing speed limit signage within straight sections of roadway or prior to entering a community where there is minimal development, but the roadway characteristics change (e.g., unpaved shoulders to curb and gutter). In advance of the of changed condition, the reduced speed limit sign **shall** be located based on [TEOpS 2-3-30](#). The location of the reduced speed limit sign *should* be adjusted based on engineering judgement such that it is located where adequate sight distance is available or in advance of the changed condition based on site conditions.

Both travel directions of speed zones *should* begin and end at the same location to align with driver expectation. Roadway conditions, existing signage and other factors play a role in locating where speed limit signs can be placed in the field. When posted, the beginning and end points of a speed zone **shall** match the ordinance/declaration description as close as possible.

Roadway characteristics such as access points and intersections sometimes prevent speed zones from being aligned in both directions. In situations where a speed zone is written to change at an intersection, the signs **shall** be posted on either side of the intersection. When reviewed as part of a study or within an improvement project, efforts *should* be made to modify these speed zones to align on one side of the intersection.

- For situations in which the separation of the begin and end points is significant or different speeds are posted for each direction, engineering judgement *should* be used.
- If conditions require an offset speed zone coordinate with BTO's Traffic Analysis and Safety Unit for approval.

### Gateway Treatments

Gateway treatments are used to capture the attention of a driver to provide awareness of changes in the roadway environment and encourage them to reduce their speed. Examples of this include enhanced signing (e.g., additional warning signage, beacons, dynamic speed display signs), median islands, curb extensions/bump-outs, roundabouts, chicanes, etc. Gateway treatments are important tools to consider in areas where there are large reductions in the posted speed due to an abrupt change in the roadway environment.

**13-5-9 Data Collection Best Practices****November 2024**

A speed investigation *should* be performed during non-peak traffic conditions, during daylight hours, and under ideal weather conditions on a typical weekday, when motorists are likely to be traveling at uninterrupted/free-flow speeds. Collecting speed data during peak commute times, unique events, weekends, or holidays may unintentionally capture more variable travel characteristics.

A template for summarizing and reporting speed performance metrics is available on the Speed Limit [References and Resources webpage](#).

Below are best practices for collecting speed performance metrics:

- The observer or speed-measuring device *should* be inconspicuous to the observed traffic so unusual driver behavior does not skew data.
- Speed data *should* be collected away from factors that might influence vehicle speeds, such as railroad crossings, intersections, horizontal and vertical curves, and work zones.
- Vehicle headway (the time between successive vehicles per lane) of five or more seconds *should* be present for reliable speed observations. Measurements collected with smaller headways may not reflect free-flow conditions, as the lead vehicle may influence the speed of the vehicle(s) behind it.

**Sample Size Requirements**

Selecting a sample size (number of observations) is an important step in collecting speed performance metrics. Below are requirements to help set an appropriate sample size:

- A minimum sample size for speed data collection *should not* be less than 100 vehicles per lane per direction. For example:
  - 200 vehicles for a roadway with one through lane in each direction
  - 400 vehicles for a roadway with two through lanes in each direction
- For roadways classified as very-low volume local roads, the minimum sample size *should not* be less than 30 vehicles. If the analyst anticipates that a sample of 30 vehicles cannot be collected within a reasonable amount of time, coordinate with BTO's Traffic Analysis and Safety Unit to identify alternative data sources or collection methods.

**Data Collection Methods**

An analyst can use a variety of data collection devices. These devices can be grouped into three categories, which for these purposes, are based on the location that the speed data collection device is installed.

- Manually operated handheld devices that are portable and can be used in most places (e.g., radar gun and laser gun).
- In-road devices that are installed into or on top of the roadway surface (e.g., pneumatic road tube).
- Out-of-road devices that are installed overhead or to the side of the roadway surface (e.g., radar recorders).

Each device has distinct advantages and disadvantages for collecting and analyzing data that may factor in determining the appropriate device to use for a particular location. See WisDOT's [Data Collection Methods document](#) on the [Traffic Operations Manual webpage](#) for more information.

**13-5-10 Documentation****November 2024****Speed Zone Database**

The approval process for speed limit modifications proposed by WisDOT on the State Trunk Highway system is conducted electronically within the [Speed Zone Database](#). The following summarizes the different levels of review and approval.

1. If an engineering and traffic investigation is completed on an established speed zone, the investigation findings and other relevant documents **shall** be stored within the database.
2. If WisDOT Regional office authority is met (see [TEOpS 13-5-6.2](#)), the designated Regional approver **shall** electronically sign/approve the speed zone declaration.
3. If WisDOT Bureau of Traffic Operations (BTO) approval is needed, coordinate with BTO's Traffic Analysis and Safety Unit for approval of the speed zone declaration.

**Format**

Speed zone declarations **shall** reference recognizable and permanent landmarks (e.g., intersections or highways) and denote a distance to or from these landmarks. Landmarks that change (e.g., construction limits, city limits, building names, railroad crossings, etc.) **shall not** be used.

**13-5-11 Local Speed Limits****November 2024****Request Process**

Coordinate with the appropriate government agency to discuss concerns or proposed modifications on county highways, city or village roads, or town roads. Upon receipt of request, local authorities can initiate action to modify a speed limit and create a new speed zone on a local road through an engineering and traffic investigation. [TEOpS 13-5](#) is provided to help guide local agencies in establishing appropriate speed limits. Wisconsin ss. [346.57](#) and ss. [349.11](#) are most applicable to modification of regulatory speed limits. These statutes, and local government authority are summarized in [Table 6.1](#).

The following are common examples for local agencies:

- The roadway does not currently have a posted speed and is rural in nature (e.g., sparse development, no curb and gutter, gravel shoulders and grass ditches). In this scenario, by ss. [346.57](#), the speed limit is 55 mph.
- Lowering a 55-mph county trunk highway or rural roadway to 50 or 45 mph. In this scenario, the county or township *may* lower the speed limit to either 50 or 45 mph under the approval authority listed in ss. [346.57](#) and ss. [349.11](#) without WisDOT approval, but an engineering and traffic investigation is required to support the change.

**Ordinances**

It is recommended that the local approval process include legal adoption of the speed zone recommendation through passage of an ordinance. This establishes a legal record of the speed limit modification and allows the speed zone to be enforceable by law enforcement agencies. Proposed changes that lie outside the constraints presented in [Table 6.1](#) **shall** be reviewed and approved by WisDOT before legal adoption by local authorities. It is recommended that the local process conclude with the local authority responding to the submitting party in writing, providing notification of approval or an explanation of the reasons for denial. The following is an example county ordinance.

## Sample Ordinance

### Establishment of Speed Zones

The Board of Supervisors of the County of Alpha do ordain as follows:

A traffic and engineering investigation having been made on the following described highways, the maximum permissible speed at which vehicles *may* be operated on said highways, which speed is herewith established as reasonable and safe pursuant to Section 349.11, Wisconsin Statutes, **shall** be as set forth herein subject to approval by the Wisconsin Department of Transportation, and upon the erection of standard signs giving notice thereof, all in Alpha County Wisconsin:

1. County Trunk Highway "A", Town of Soup, Alpha County.

*Forty-five miles per hour from its intersection with County Trunk Highway "B", northerly to its intersection with State Trunk Highway 201.*

2. County Trunk Highway "B", Town of Blank, Alpha County.

*Thirty miles per hour from the intersection of Rabbit's Foot Ave, northerly to a point 0.35 miles north of said intersection.*

### Documentation

Typical documentation of an engineering and traffic investigation can include a cover letter, memo describing the background and roadway context, map and/or photos of the area, safety information, speed performance metrics, findings, methodologies, and any other documentation to help support the recommendation. Contact the local WisDOT Regional office for an example of an engineering and traffic investigation or for any questions on the speed limit setting process. See WisDOT's [Speed Limit webpage](#) for contact information.

### Speed Limits Within and Outside Incorporated Areas (Outlying District and Semiurban District)

Outlying District and Semiurban Districts are defined in ss. [346.57\(1\)\(ar\)](#) and [346.57\(1\)\(b\)](#) respectfully. These statutes are meant to establish speed limits based on access (building) density and *should not* be used as the sole criteria to establish a speed limit without consideration of other factors listed within [TEOpS 13-5-7.2](#).

### 13-5-12 School Zones

November 2024

Wisconsin State Statutes require that school advance warning signs be installed and maintained on every highway where a school ground is contiguous to the highway. There is no requirement that a school speed limit be posted except where it differs from the 15-mph provision in ss. [346.57 \(4\)\(a\)](#) and [\(b\)](#). These two provisions place the requirement on the motorist to reduce speed to 15 mph when children are present, even in the absence of speed limit signs.

### Sign Requirements

School speed limits require the use of a regulatory school speed zone sign. For more information on school signage, see [TEOpS 2-3-54](#). If used, they *should* be posted at 10 mph less than the posted regulatory speed limit of the roadway.

The physical arrangements of schools along state trunk highways vary greatly. The following are examples to help illustrate guidelines within this policy. Other locations not fitting these will have to be reviewed to determine the appropriate use of school zone signs.

### Urban Areas

- In a built-up section of a city or village, where the roadway speed limit is low (i.e., ≤30 mph) and sidewalks are present, many or most of the children walk to school. However, some children may be transported by vehicles which can lead to congestion.
- In developed areas, sudden stoppages and slowdowns are common. If the roadway is a higher speed facility (e.g., 35 mph or greater) it would be desirable to study the location to determine the appropriate school speed limit for the roadway.

## Rural Areas

- In a rural area, the school may be the only development along the roadway. In these areas, speed limits often are higher and there are few to no children who bike or walk to school. It is WisDOT's policy to refrain from posting school speed limits under these conditions.
- Since children are unlikely to be present in vicinity of the roadway, school speed limit signs are ineffective at changing a motorist's behavior. If there are no children present, do not post a school speed limit sign. See [TEOpS 2-3-54](#) for information on school signage.

## Conflicts with signs

Where school speed limits are posted, it is considered good practice to omit the full-time regulatory speed limit signs in the school zone to prevent confusion or avoid giving motorists grounds for disobeying the school speed limit.

### 13-5-13 Dynamic Speed Display Signs

November 2024

See [TEOpS 2-1-7](#) regarding policy for dynamic speed display signs.

### 13-5-14 Posted versus Design Speeds

November 2024

Design speed is used to establish design parameters for the various features of the roadway. The selected design speed *should not* be based on speed measurements but *should* be established based on factors such as the anticipated adjacent land use, topography, crash risks, and operating speed of the roadway. The posted speed **shall not** exceed the statutory speed limit and *should* be equal to or 5 mph lower than the selected design speed. When conditions prevent a roadway feature or element from meeting design speed requirements, the posted speed **shall not** be based on the individual design speed of the feature.

Local agencies *should* coordinate with the [WisDOT regional offices](#) if they have any questions with respect to design speeds and approval authorities outlined in [Table 6.1](#).

## Policy

For construction of new roadway facilities or reconstruction of existing facilities, the posted speed limit *should* be posted in accordance with the design speed. Below are considerations for establishing appropriate speed limits on new or reconstructed facilities:

- For WisDOT improvement projects, the project team **shall** coordinate with the regional traffic and planning sections to mutually agree upon an appropriate speed limit. The regional traffic unit **shall** document the speed zone with a speed zone declaration. See [TEOpS 13-5-10](#).
- Posted speeds *should* generally be equal to or within 5 mph of the selected design speed.
  - There are cases, however, where the posted speeds *may* be higher or lower than the design speed for a section of highway.
  - For speed limits posted below the design speed, coordination with the Traffic Analysis and Safety Unit (TASU) in the Bureau of Traffic Operations (BTO) is required.
- Isolated intersections with reduced speed limits **shall** be investigated for design modifications rather than maintaining a posted reduced speed. See [TEOpS 13-5-15](#).
- Conversion of a two-lane roadway to a four-lane roadway **shall not** automatically constitute changing the speed limit from 55 mph to 45 mph.
- Where local roads are converted to state highways or built on relocation, such as bypasses, the speed limit *should* be based on the new geometrics of the roadway and the function and purpose of the highway as either an expressway or conventional highway.
  - The function of the highway includes adjacent land use, spacing of access points and proximity to the roadway.
  - The speed limit that existed prior to the conversion to a state highway *may not* necessarily be retained.

## Design parameter considerations

Design parameters and features of the roadway are initially based on a design speed but careful consideration *should* be used to design a roadway to achieve an appropriate operating speed. Design speeds are used to design a roadway to operate safely and efficiently to serve its intended purpose. In some situations, there may be features that are unable to meet these design thresholds and may require a motorist to travel at a reduced speed. See [FDM 11-10-1.5](#) for more information and documentation requirements.

Individual design features such as isolated horizontal and vertical curves **shall not** dictate posted speed limits unless safety issues are identified post-construction. Other examples include:

- **Free-flow ramps at system and service interchanges** - Ramps are signed with advisory speeds mounted under a horizontal alignment sign and ramp speed warning sign.
- **Curves and/or turns with a speed rating less than design speed on a section of highway** – Curves and/or turns are signed with horizontal alignment signs and an advisory speed that provides a motorist with the recommended safe operating speed of the curve or turn.
  - Example: A 55 mph rural section of highway often has turns and curves that necessitate the driver to lower their speed in order to safely negotiate the curve or turn. The regulatory speed limit is not changed for each one of these turns or curves.
- **At transition sections from 4 to 2 lanes** - The transition area where a divided highway becomes an undivided highway *should* use engineering judgement to determine the proper location of where these speed limit transitions occur.
- **Other design features** - such as the presence and offset of curb, curb type (e.g., vertical face, sloped face), wider or narrower shoulders, or other design features **shall not** be a determining factor in establishing an appropriate speed limit in isolation.

### 13-5-15 Speed Limits on Approach to Controlled Intersections

November 2024

Sections of the state highway system in the immediate vicinity of a controlled intersection *should not* be considered for a speed zone reduction due strictly to the presence (or planned presence) of an intersection control condition. Intersection control conditions include stop conditions (one-way, two-way or all-way), traffic signals, roundabouts, or access restrictions (controlled either by regulatory signs or channelizing islands).

If requests for a modified speed limit in advance of a controlled intersection stem from safety concerns, roadway improvements *should* be considered that pertain to the specific site (e.g., channelized or extended turn lanes, modification to signal phasing or timing, rumble strips, advance warning signs, warning beacons, signing/markings enhancements, etc.). Speed limit reductions in advance of the intersection will likely not influence safety and may even promote poor engineering decisions in the future (e.g., signal equipment placement, signal timing or sign placement).

Existing locations that do not comply **shall** be allowed to remain until such time as the intersection is resurfaced or reconstructed.

Rather than establishing a lower speed limit in advance of a controlled intersection, consider design features such as:

- **Stop Conditions** – Proper placement of advance warning signs (per [WMUTCD](#)).
- **Traffic Signals** – Intersection lighting (per [TEOpS 11-4-2](#)) and Dilemma zone detection on high-speed approaches (per [Traffic Signal Design Manual \(TSDM\) 8-1-6](#)).
- **Roundabouts** – Proper geometric design of splitter islands, roadway curvature (per [FDM 11-26](#)) and lighting (per [TEOpS 11-4-3](#)).
- **Corridor Access Management** – Proper geometric design principles (per [FDM 7-35](#)).

### 13-5-16 Temporary Traffic Control Zones (Construction Work Zone Speed Limits)

November 2024

Refer to [Section 6B.01](#), Temporary Traffic Control Plans, of the [WMUTCD](#) for more information on reducing the speed in temporary traffic control zones (i.e., construction work zones). Reductions in speed limits for temporary traffic control zones *should* be evaluated according to the criteria in this policy. [Table 16.1](#) provides an illustration of different temporary traffic control zone scenarios.

There is often less need for reduced speed limits in temporary traffic control zones on rural conventional highways. On rural conventional highways, drivers do not have the same expectation for free-flowing traffic as they do on rural freeways. With driveway access and crossing movements on conventional highways, drivers tend to be alert to such movements and other similar conflicts even without reduced speed limits.

Temporary traffic control zones which require lower operating speeds due to changes in alignment (e.g., crossovers and transitions) or other work activities that occupy a short work area, *should* use warning signs with advisory speed plaques in lieu of regulatory speed limit signs.

### Authority

The WisDOT work zone operations engineer within BTO has approval authority for temporary traffic control zone speed limits on all interstates and facilities with a posted speed of 65 mph or greater. The WisDOT regional work zone engineer has the authority to approve and establish temporary traffic control zone speed limits on all other roadways.

### Policy

Engineering judgment **shall** be used when determining appropriate speed zones. This policy is intended to assist with the development of an appropriate work zone speed limit. Contact the regional work zone engineer or BTO for assistance with applying this policy.

Speed zones provide drivers an indication of what is considered a reasonable speed for that section of roadway. Proximity to construction activities, drop offs, lane closures, narrow lanes/shoulders and pavement condition all influence the driver's determination of a reasonable speed. The type of construction work, project length, area type (i.e., urban vs. rural), facility type, occurrence of night work and traffic mix (e.g., commuter, recreational, truck percentages) all impact driver expectations and the determination of what is a reasonable speed. The policy criteria described below *should* only be used for facilities during intermediate-term and long-term work activities as defined in [Part 6 of the WMUTCD](#).

Speed reductions in segments without active work can lead to disregard of the posted speed. Work with your project manager to incorporate standard special provisions for removing temporary speed zones when active work is not taking place.

Policy criteria 1 through 6 *should* be evaluated, along with engineering judgment, to develop an appropriate work zone speed limit. The most restrictive work zone impact *should* be used as the determining condition.

All reduced work zone speed limits **shall** be approved prior to approval of the 90% Transportation Management Plan (TMP).

### Temporary Traffic Control Zone Policy Criteria

1. Interstates and Expressways with 70 or 65 mph speed limit:
  - If bi-directional traffic separated by concrete barrier temporary precast, then speed limit *may* be lowered to 60 mph if warranted.
  - If bi-directional traffic separated by tubular markers, then reduce to 55 mph.
  - If workers are present within 12 feet of live traffic without positive protection\* for any length or work area, then reduce to 55 mph.
  - If work area is less than or equal to 0.5 miles in length with lane shifts or narrowed travel lanes and has positive protection\*, then post warning signs with an advisory speed plaque.
  - If work area is less than or equal to 0.5 miles in length with no lane shifts or narrowed travel lanes and has positive protection\*, then do not lower the speed limit.
  - If work is taking place outside the clear zone, then do not lower the speed limit.
  - During periods of no work activity, restore speed limit to posted speed. Such speed limit reduction **shall** be subject to documented approval by the BTO work zone operations engineer. When a reduced work zone speed limit is recommended in the TMP, a temporary speed zone declaration **shall** be completed and sent to BTO for approval.
2. Expressways and other multi-lane highways with 55 or 50 mph speed limit:
  - Reduce to 45 mph only in situations that have a combination of extreme lane shifts, narrowed lanes, bi-directional traffic, or milled surfaces.

- Restore speed limit to normal posted speed when reduction criteria are not present.
3. Multi-lane highways with 45 mph speed limit:
    - Reduce speed limit to 35 mph only in situations that have a combination of extreme lane shifts, narrowed lanes, bi-directional traffic, or milled surfaces.
  4. Two-lane rural highways with 55 mph speed limit:
    - Reduce to 45 mph only in situations that have a combination of extreme lane shifts, narrowed lanes or milled surfaces.
    - A flagging operation in and of itself would typically not warrant a reduced speed limit since motorists are controlled by the flagging devices.
  5. Two-lane rural roadways with speed limit of 45 mph or less:
    - Typically, no reduction in speed limit.
    - *May* consider a speed reduction up to 10 mph in increments of 5 mph in situations that have a combination of extreme lane shifts, narrowed lanes or milled/gravel surfaces.
  6. Two-lane urban roadways with speed limit of 40 mph or less
    - No change in speed limit except reduction to 35 mph *may* be considered in situations that have a combination of extreme lane shifts, narrowed lanes or milled/gravel surface.

\*Positive protection is defined by FHWA as a temporary precast concrete barrier that contains or redirects vehicles and separates workers from the active travel lanes.

**Table 16.1** Example Temporary Traffic Control Zone Scenarios

	<p>Bi-directional traffic separated by flexible tubular markers</p>
	<p>Active work areas within 12-ft. of live traffic without positive protection</p>
	<p>Lane shift to shoulder or temporary pavement</p>
	<p>Lane closure without positive protection</p>

## Work Zone Temporary Speed Zone Declarations

Reduced speed limits in temporary traffic control zones are subject to approval by the BTO work zone operations engineer. A Temporary Speed Zone Declaration (TSZD) **shall** be submitted through the Department's online Wisconsin Transportation Management Plan (WisTMP) system.

- Complete the [Temporary Speed Zone Declaration Form](#) and attach it to Section 4 of the TMP.
- The TSZD will be approved by BTO and/or the regional work zone engineer by signing the 90% TMP.

### 13-5-17 Maintenance Work Zones

**November 2024**

Wisconsin ss. [349.11\(10\)](#) provides that a county *may* establish a speed limit through a maintenance work zone on a state trunk highway less than the authorized speed limit. This includes all freeways and interstate highways. The State Patrol will enforce the speed limit but need to be informed of its inauguration and the ordinance, resolution, or action enacting it.

Follow [TEOpS 13-5-16](#), policy criteria 1-6 when establishing a temporary speed zone reduction for maintenance activities.

Document the reduced regulatory speed in the [Wisconsin Lane Closure system](#) (WisLCS).

### 13-5-18 References

**November 2024**

- [1] **Federal Highway Administration.** *Manual on Uniform Traffic Control Devices for Streets and Highways, 11th Edition*, FHWA, December 2023.
- [2] **National Cooperative Highway Research Program.** *Human Factors Guidelines for Road Systems*, Washington D.C., NCHRP, 2012.
- [3] **Federal Highway Administration.** *Safe System Approach for Speed Management*, FHWA, May 2023.
- [4] **American Association of State Highway and Transportation Officials.** *A Policy on Geometric Design of Highways and Streets, 7th Edition*, AASHTO, 2018.
- [5] **Florida Department of Transportation.** *FDOT Context Classification Guide*, FDOT, July 2020.
- [6] **Federal Highway Administration.** *Methods and Practices for Setting Speed Limits*, FHWA, 2012.

# Memorandum

**ATTACHMENT  
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To Michael Wodalski, P.E. – Village of Weston, Director of Public Works

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Subject **Design Criteria Technical Memorandum  
Village of Weston  
Weston Avenue (CTH X – CTH J)**

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From Zach Larson, P.E. – AECOM

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Date November 1, 2021

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The purpose of this memorandum is to discuss the design criteria used for the Weston Avenue project. The current status of this project is at 30%.

## **A. Background**

The Services Agreement between AECOM and the Village of Weston includes the roadway design of Weston Avenue between CTH X and CTH J.

The project will be broken out into two segments as follows:

1. Ryan Street to CTH J (2023 Construction)
2. CTH X to Ryan Street (2024 Construction)

The Services Agreement also states that a Design Criteria Technical Memo documenting the roadway design parameters used for the Weston Avenue corridor between CTH X and CTH J shall be provided.

This memorandum documents the decisions and assumptions of the design parameters used.

## **B. Design Standards Used**

### **CTH X (Camp Phillips Road) – Ryan Street**

- 1) Speed
  - a) Posted: 35 MPH, Existing is 45 MPH posted and will be reduced
  - b) Design: 40 MPH
- 2) AADT
  - a) Construction Year: 2,955 AADT (2023)
  - b) Design Year: 4,255 AADT (2043)
- 3) Roadway Functional Design Classification
  - a) FDM Design Class – Collector, C4
    - i) *Source: WisDOT Functional Classification Criteria pdf*  
(<https://wisconsindot.gov/Documents/projects/data-plan/plan-res/functional/mpa/ausau.pdf>)
    - ii) *Source: FDM 11-15, Attachment 1.2, FDM 11-20, Attachment 1.1*
- 4) Sight Distance
  - a) Stopping Sight Distance – 305-feet
    - i) *Source: FDM 11-10-5, Attachment 5.1*

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- b) Intersection Sight Distance – For Case B1, P=590-feet, SU=710-feet; B2, P=475-feet, SU=590-feet, However, each intersection needs to be evaluated and adjusted for additional lane width.
  - i) Source: FDM 11-10-5.1.4.2, Table 5.2, Upper minimums listed
- c) Vision Triangle – Avt/Bvt = 120
  - i) Source: FDM 11-10, Att 5.13
- 5) Travel Way
  - a) Width – 12-foot lane width
    - i) Source: FDM 11-15 Attachment 1.2 & 1.16
  - b) Cross-Slope – 2% is normal cross slope. 4% is maximum superelevation used.
    - i) Source: FDM 11-15 Attachment 1.6 & FDM 11-15-1.6
    - ii) Source: FDM FDM 11-10-5.3 Table 5.7 for superelevation
- 6) Median Width – Varies from 7-feet for raised median to a 14-foot TWLTL.
- 7) Auxiliary Lane
  - a) Type – no Auxiliary lanes used on this project
  - b) Width – N/A
  - c) Cross-Slope – N/A
- 8) Shoulder
  - a) Type
    - i) Curb to be used on outside for first ¼ mile.  
(1) Source: FDM 11-20-1.2.2 & (Att 1.1 & 1.3)
    - ii) Combination of HMA / Base Aggregate to be used east of curb section  
(1) Source: FDM 11-15, Attachment 1.4, 1.5, & 1.16
  - b) Width – 8-feet total (5-feet paved HMA)
    - i) Source: FDM 11-15, Attachment 1.4 & 1.16
  - c) Cross-Slope – HMA paved shoulder will match adjacent travel lane. Base Aggregate will be 4%.
    - i) Source: FDM 11-15-1.7
- 9) Lateral / Horizontal Clearance
  - a) Width - Greater of 6-ft or finished shoulder width +2-ft
    - i) Source: FDM 11-15-1.13.2.3, Table 1.2
- 10) Clear Zone
  - a) Width – 16-feet
    - i) Source: FDM 11-15-1, Attachment 1.9
- 11) Slopes
  - a) Inside Clear Zone – 4:1
  - b) Outside Clear Zone – 3:1 in over 15-feet of fill, 4:1 if under 15-feet of fill
    - i) Source: FDM 11-15, Attachment 1.6 & 1.8
  - c) Maximum Grade – 7%
    - i) Source: FDM 11-10, Attachment 5.3
  - d) Minimum Grade – 0.5%
    - i) Source: FDM 11-10-5.4.1
  - e) Vertical Curves
    - i) K Values, Crest = 70 for Cat 1, Upper minimum, Sag = 79 for Cat 1, Upper minimum  
(1) Source: FDM 11-10, Attachment 5.4 & 5.6

**Ryan Street – CTH J**

- 1) Speed
  - a) Posted: 45 MPH, Existing is 45 MPH
  - b) Design: 50 MPH
- 2) AADT
  - a) Construction Year: 3,020 AADT (2024)
  - b) Design Year: 4,320 AADT (2044)
- 3) Roadway Functional Design Classification
  - a) FDM Design Class – Collector, C4
    - i) Source: *WisDOT Functional Classification Criteria pdf*  
(<https://wisconsindot.gov/Documents/projects/data-plan/plan-res/functional/mpa/wausau.pdf>)
    - ii) Source: *FDM 11-15, Attachment 1.2, FDM 11-20, Attachment 1.1*
- 4) Sight Distance
  - a) Stopping Sight Distance – 425-feet
    - i) Source: *FDM 11-10-5, Attachment 5.1*
  - b) Intersection Sight Distance – For Case B1, P=735-feet, SU=885-feet, For Case B2, P=590-feet, SU=735-feet; However, each intersection needs to be evaluated and adjusted for additional lane width.
    - i) Source: *FDM 11-10-5.1.4.2, Table 5.2, Upper minimums listed*
  - c) Vision Triangle – Avt/Bvt = 150
    - i) Source: *FDM 11-10, Att 5.13*
- 5) Travel Way
  - a) Width – 12-foot lane width
    - i) Source: *FDM 11-15 Attachment 1.2 & 1.16*
  - b) Cross-Slope – 2% is normal cross slope. 4% is maximum superelevation used.
    - i) Source: *FDM 11-15 Attachment 1.7 & FDM 11-10-5.3.3*
    - ii) Source: *FDM FDM 11-10-5.3 Table 5.7 for superelevation*
- 6) Median Width – No median used on the east project limits.
- 7) Auxiliary Lane
  - a) Type – no Auxiliary lanes used on this project
  - b) Width – N/A
  - c) Cross-Slope – N/A
- 8) Shoulder
  - a) Type
    - i) Combination of HMA / Base Aggregate to be used east of curb section  
(1) Source: *FDM 11-15, Attachment 1.4, 1.5, & 1.16*
  - b) Width – 8-feet total (5-feet paved HMA)
    - i) Source: *FDM 11-15, Attachment 1.4 & 1.16*
  - c) Cross-Slope – HMA paved shoulder will match adjacent travel lane. Base Aggregate will be 4%.
    - i) Source: *FDM 11-15-1.7*
- 9) Lateral / Horizontal Clearance
  - a) Width - Greater of 6-ft or finished shoulder width +2-ft
    - i) Source: *FDM 11-15-1.13.2.3, Table 1.2*
- 10) Clear Zone
  - a) Width – 26-feet
    - i) Source: *FDM 11-15-1, Attachment 1.9*

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11) Slopes

- a) Inside Clear Zone – 4:1
- b) Outside Clear Zone – 3:1 in over 15-feet of fill, 4:1 if under 15-feet of fill
  - i) *Source: FDM 11-15, Attachment 1.6 & 1.8*
- c) Maximum Grade – 6%
  - i) *Source: FDM 11-10, Attachment 5.3*
- d) Minimum Grade – 0.5%
  - i) *Source: FDM 11-10-5.4.1*
- e) Vertical Curves
  - i) K Values, Crest = 136 for Cat 1, Upper minimum, Sag = 96 for Cat 1, Upper minimum  
(1) *Source: FDM 11-10, Attachment 5.4 & 5.6*

# REQUEST FOR CONSIDERATION

<b>Public Mtg/Date:</b>	<b>Community Life and Public Safety Committee – 3/2/26</b>
<b>Description:</b>	<b>Discussion on No Parking Areas in the Village: Alta Verde St south of Jelinek Ave and Alderson St along Kennedy Park</b>
<b>From:</b>	<b>Michael Wodalski, P.E. - Director of Public Works</b>
<b>Question:</b>	<b>Should the Community Life and Public Safety Committee Recommend changing the no parking areas on Alta Verde St and Alderson St?</b>

## Background

There are two topics regarding “No Parking” zones in the Village, which are: 1) Alta Verde St south of Jelinek Ave and 2) Alderson St along Kennedy Park.

### Alta Verde St (South of Jelinek Ave)

The sign to the right is an example of the “No Parking” signs that currently exist along Alta Verde St which states there is No Parking from October 31<sup>st</sup> to May 1<sup>st</sup>. In this area this coincides with winter parking regulations as well as the school year. I am not familiar with when these signs were installed or what the purpose of them necessarily was. We had a resident on Alta Verde request that the signs be removed and the alternate side parking just be allowed along the street like the rest of the neighborhood. From what I can tell, Alta Verde is the only street south of Jelinek Ave that has these No Parking signs and making the street consistent with the rest of the neighborhood seems to make sense.



The question to the Committee is, is there a need to keep these signs up to keep cars from parking on Alta Verde during the winter months, or are we ok with allowing it to be alternate side parking during the winter months just like all of the other streets in the neighborhood? Staff would be ok with removing the No Parking signs and letting the street be utilized the same as the rest of the neighborhood.

### Alderson St (Along Kennedy Park (Neupert Ave to Jelinek Ave))

In a somewhat similar situation to Alta Verde St, Alderson St has a No Parking signed area along Kennedy Park from Neupert Ave to Jelinek Ave (see sign to the right).



# REQUEST FOR CONSIDERATION

These signs exist along Kennedy Park, but then do not extend north or south from there and are on both sides of the road. This is an item staff has looked at as opening at least the west side (Kennedy Park) of the road back up to on-street parking. With the addition of two fields this past year and then the Farmer's Market moving to Kennedy Park for 2026, staff believes allowing parking on that side of the road will help to ease congestion within the parking lots. If parking were to be allowed on the west side of the road, approximately 46 vehicles could park along the roadway if vehicles properly parallel park. More realistically we're likely looking at 35-40 spots, but that still will provide relief from the rest of the park and other side streets that people may then want to park on such as E Neupert Ave or Joseph Ave which are narrow streets.

Alderson St is 34-ft wide, thus allowing parking on the street and assuming 8-ft for that distance, there is still 26-ft of pavement or room for two 13-ft lanes which a normal driving lane is 10-12 feet on a multi-lane roadway. It appears there is adequate space to accommodate on-street parking without impeding traffic flow.

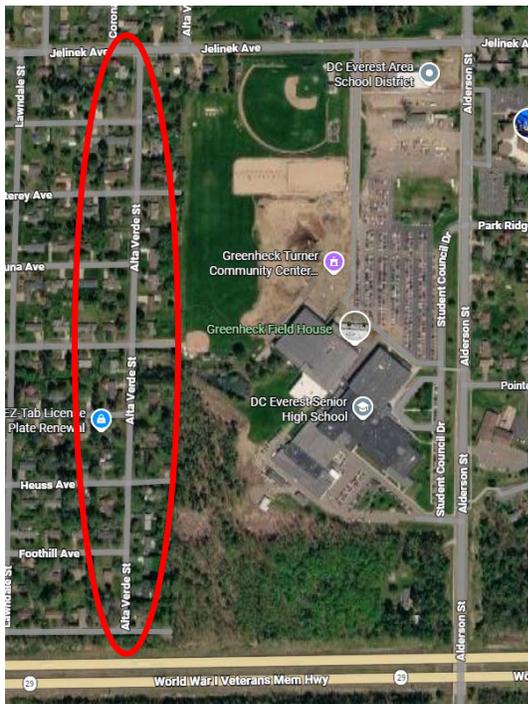


Figure 1: Alta Verde South of Jelinek

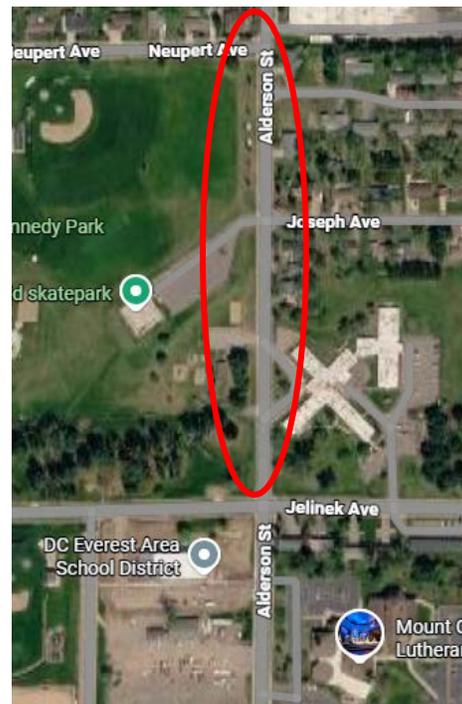


Figure 2: Alderson St (Neupert to Jelinek)

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**Attached Docs:** -

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**Committee Action:** -

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**Fiscal Impact:** - Minimal, just sign removal costs

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**Recommendation:** Staff is seeking feedback from the Committee

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# REQUEST FOR CONSIDERATION

## Recommended Language for Official Action

I move to recommend the No Parking area on Alta Verde St south of Jelinek Ave  
\_\_\_\_\_

I move to recommend the No Parking area on Alderson St between Neupert Ave  
and Jelinek Ave \_\_\_\_\_

Or, Something else

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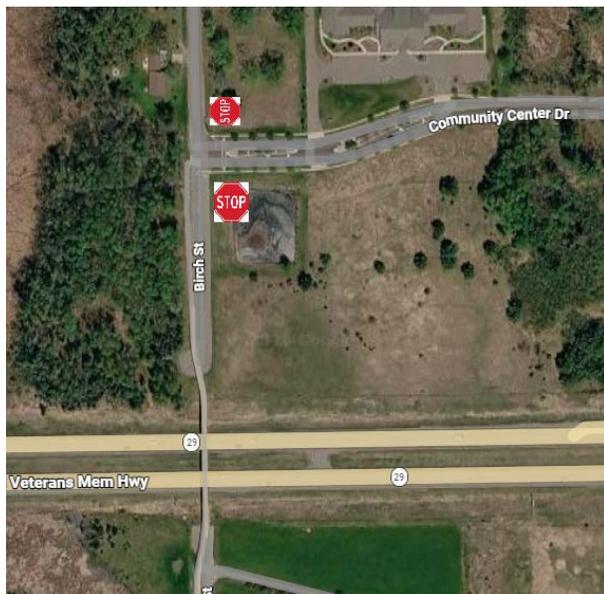
Additional action:

# REQUEST FOR CONSIDERATION

<b>Public Mtg/Date:</b>	<b>Community Life and Public Safety Committee – 3/2/26</b>
<b>Description:</b>	<b>Community Center Dr and Birch St Intersection Signage</b>
<b>From:</b>	<b>Michael Wodalski, P.E. - Director of Public Works</b>
<b>Question:</b>	<b>Should the Community Life and Public Safety Committee Recommend changing the signage at the intersection of Community Center Dr and Birch St?</b>

## Background

The intersection of Community Center Dr and Birch St is a “T” intersection with Birch St to the south being a Dead End road. I have an aerial with the current sign configuration below. The STH 29 Pedestrian Bridge is also at this intersection and is accessed via the west side of the intersection.



It was asked of staff to see if signing this intersection as a “right turn no stop” on Community Center Dr would be better. This would make it so traffic if it is trying to turn left would still be required to stop, but would allow for traffic continuing north onto Birch St to continue to flow.

This item had been discussed about 10 years ago when the stop sign was put up as a way to slow drivers down and alert them to bicyclists and pedestrians who may be in the area. However, driving through this area over the last few weeks, I have witnessed several vehicles not stopping so

they’re already treating it as a “right-turn no stop” situation and perhaps that’s the better solution moving forward.

The next page has a street view of the intersection as well. As you are approaching Birch St there is clear vision of the Pedestrian Bridge and any person’s who may be looking to utilize that path. Within the next 5 years the reconstruction of Birch St is likely which would extend pedestrian accommodations along Birch St north to Jelinek Ave. The location of that path is thought to be on the east side of the road as there are not any driveways on the east side except for the entrance Colonial Gardens. This would mean users of the path would cross Birch St on the south side of Community Center Dr and then proceed from that point and not cross Birch St again.



Figure 1: Example of a Right Turn No Stop

# REQUEST FOR CONSIDERATION



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**Attached Docs:** -

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**Committee Action:** -

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**Fiscal Impact:** - Minimal, sign would be made in-house

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**Recommendation:** Staff is seeking feedback from the Committee

## Recommended Language for Official Action

**I move to recommend the stop sign on Community Center Dr and Birch St be**

**Or, Something else**

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Additional action: