ORDINANCE NO 4-97
GENERAL ROAD/SIDEWALK SAFETY ORDIANCE

This ordinance is entitled the "Town of Baileys Harbor General Road/Sidewalk Safety Ordinance."

The Town Board of the Town of Baileys Harbor has the specific statutory authority, powers and duties, pursuant to the specific statutory sections noted in this ordinance and/or by its adoption of village powers under Section 60.10, (1995-1996), Wi. Statutes, to regulate, control, prevent and enforce against in the Town of Baileys Harbor certain uses, activities, businesses and operations by persons that may affect the safety of our town roads.

No person shall cause, allow or permit any person to alter the grade of any public highway, road, street or alley in the Town of Baileys Harbor without written approval by the Town Board of the Town of Baileys Harbor.

No person shall cause, allow or permit any person to plant any tree or cut any tree on the public highways, roadways, streets or alleys in the Town of Baileys Harbor without approval from the town board. No approval will be issued by the town board to cut any tree if the cutting and removal of the tree with the safety precautions to be taken, as described by the applicant or permittee will still substantially impair, now or in the future, the public safety of persons in the Town of Baileys Harbor.

No person shall place a fence or any other type of object on public highway, roadways, street, or alleys in the Town of Baileys Harbor without approval from the town board of the Town of Baileys Harbor. If such fence or other objects is placed in the right away, without town approval. the town shall not be held responsible for any damage that takes place to said fence.

The Town Board of the Town of Baileys Harbor, by this ordinance, designates the following roads in the Town of Baileys Harbor as "Class B" roads per State Statutes 348.16, (1995-1996).

LAKESHORE DRIVE
This road shall be subject to weight limitations pursuant to State Statutes 348.16, (1995-1996).

The Town Board of the Town of Baileys Harbor, by this ordinance, declares the following as a Snow Emergency:

A snow emergency means when the town has received a blizzard and travel is not possible, so the snow plowing equipment can be used to clear the roadways for the township.
The Town Board, by this ordinance, declares that the Town of Baileys Harbor shall have the responsibility to declare any Snow emergency, to make the appropriate announcement

and to post, in the appropriate locations, the actual declaration of Snow Emergency. Upon the actual completion of the posting, the Snow Emergency shall be formally declared. From that time period until the Snow Emergency declaration is removed by the Town of Baileys Harbor, no person in the town of Baileys Harbor shall cause, allow or permit any person to park any motor vehicle on any public highway, road, street or alley in the Town of Baileys Harbor so as to cause obstruction of plowing, block traffic or inhibit traffic flow for emergency purposes in the Town of Baileys Harbor. No person shall plow snow out into any town road or street in the township of Baileys Harbor. All snow must be cleared off the road right away that has been pushed on by any person. The snow emergency declaration shall be removed and terminated by the Town Chairman, when he or she, in writing files with the Town Clerk the termination of the Snow Emergency declaration.

In consideration of highway maintenance and safety issues, the Town of Baileys Harbor hereby forbids the parking of any motor vehicle on any highway within this Town as follows:

<div align="center">

HOURS: 2:00 A.M. TO 7:00 A.M.
FOR NO MORE THAN 30 MINUTES AT ONE TIME
DATES: NOVEMBER 15 THROUGH APRIL 15 OF EACH GIVEN YEAR

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No person shall cause, allow or permit any person to obstruct or excavate within any public highway, road, street or alley in the Town of Baileys Harbor without a permit issued by the Town Board of the Town of Baileys Harbor or its designee. The applicants applying for the permit shall comply fully with Section 66.045 and 86.07 (1995-1996) Wisconsin State Statutes, and this ordinance. No permit shall be issued or reissued by the Town Board unless the applicant agrees to and fully comply with Section 66.045 and 86.07, (1995-1996), Wis. State Statutes, and this Ordinance. The Town Board or its designee shall inspect the premises prior to issuance or re-issuance of the permit. The Town of Baileys Harbor designates the Town Board as the authority to establish any rules and regulations regarding the conditions for the permit and compliance with the permit. The property owner must come before the Town Board at a town board meeting to be granted/or denial the permit or if they want to call a special meeting, the cost of the meeting will be at the property owners expense.

No person shall cause, allow or permit any person to throw, deposit or discharge any weeds, sod, brush, manure or other waste or rubbish on any public highways, roads, streets, parking lots, or alleys in the Town of Baileys Harbor. No person shall cause, allow or permit any person to draw, paint, print or paste on any culvert, bridge or guard rail or any public highway, roadway, street, sidewalk, town parks, public building or alley in the Town of Baileys Harbor.

The Town Board of the Town of Baileys Harbor has, by this ordinance, established the following:

a. The location where sidewalks will be constructed in the Town of Baileys Harbor that is on the road right away. This does not include any sidewalks that are placed within the property owners lot line.

b. The width of the sidewalks in the Town of Baileys Harbor.
c. The type of material to be used for sidewalks in the Town of Baileys Harbor.
d. When sidewalk construction and repair will commence in the Town of Baileys Harbor.
e. Prescription for the method of construction of sidewalks in the Town of Baileys Harbor.
f. By this ordinance the Town Board of the Town of Baileys Harbor hereby claims that the town owns the sidewalks and they will repair the sidewalks and the cost will be placed on the tax roll for the complete township.

In addition, the Town Board has the power to declare, by this ordinance, any sidewalk in the Town of Baileys Harbor that is unsafe, defective or insufficient to be repaired or to be moved and replaced. By this ordinance no one shall park any type of vehicle, working or non-working, or in anyother way obstruct the sidewalk, in the Town of Baileys Harbor./ The Town Board shall follow the procedure established in Section 66.615, (1995-1996) Wi. State Statutes, regarding any such declaration.

Violations:

When the person or persons found to be in violation of this section, or conviction thereof, shall be fined not less that $25.00 nor more than $250.00 together with cost of prosecution. Upon failure to pay such fine, such violator or violators shall be imprisoned in the County jail until such fine and costs are paid, not to exceed 30 days. Each day of such violation shall constitute a separate offense.

Enforcement:

This Ordinance may be enforced by the issuance of a citation to any violator of this Ordinance by any Sheriff or Deputy Sheriff of the County of Door, State of Wisconsin, by any State of Wisconsin officer with police powers, or by the Town Constables of the Town of Baileys Harbor, or any other duly appointed law enforcement officer of the Town.

Severance Clause:

Provisions of this Ordinance are declared to be severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, paragraphs, sentences, clauses or phrases of this Ordinance.

This Ordinance shall take effect and be in full force from and after its passage, and publication.
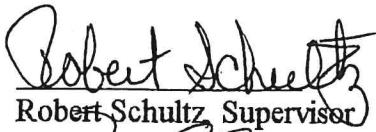
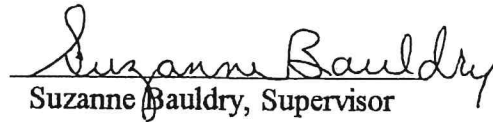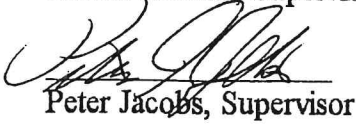Adopted by the Town Board this _____9_____ day of June, 1997.

Steven Parent, Chairman

Donald Sitte, Supervisor
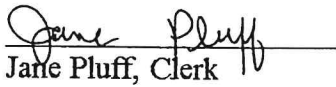
Robert Schultz, Supervisor

Suzanne Bauldry, Supervisor

Peter Jacobs, Supervisor

Filed in the office of Town Clerk this _____9_____ day of June, 1997

Jane Pluff, Clerk