



***Traffic Code Ordinance***

*Winnebago County*  
*Chapter 7*

**Adopted 10/27/53**  
**Revised 10/17/17**

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**WINNEBAGO COUNTY  
TRAFFIC CODE CHAPTER 7, WINNEBAGO  
COUNTY GENERAL CODE**

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## Traffic Code

### 7.01 COURTHOUSE PARKING LOT REGULATIONS:

- (1) DEFINITIONS. Terms used in this section shall have the following meanings:
- (a) Vehicle - Every device in, upon or by which any person or property may be transported or drawn upon a highway.
  - (b) Area "A"-1 Hour Visitor Parking - The area of parking at the County Courthouse Parking Lot which is to be used by persons, other than employees of the County, having official business in the Courthouse not to exceed one hour between 7:30 a.m. and midnight
  - (c) Area "B"-2 Hour Visitor Parking - The area of parking at the County Courthouse Parking Lot which is to be used by persons, other than employees of the County, having official business in the Courthouse not to exceed 2 hours between 7:30 a.m. and 6 p.m.
  - (d) Area "C" - General Courthouse Parking - The area of parking at the County Courthouse Parking Lot which is to be used by persons having official business in the Courthouse of an unlimited duration between 7:30 a.m. and midnight.
  - (e) Area "D" - Police Vehicle Parking - The area of parking at the County Courthouse Parking Lot which is to be used for parking official vehicles of a police department located within or outside the County.
  - (f) Area "E" - Employee Parking - The area at the County Courthouse Parking Lot which is to be used by employees of the County during the course of their employment.
  - (g) Area "F" - Handicapped Parking - The area of parking at the County Courthouse Parking Lot reserved for parking vehicles for handicapped persons having a vehicle displaying special registration plates under § [341.14 \(1\)](#), [\(la\)](#), [\(1m\)](#) or [\(lq\)](#)
  - (h) Wis. Stats. or a special identification card issued under s. 343.51 Stats. or a motor vehicle registered in another jurisdiction and displaying a registration plate, card or emblem issued by the other jurisdiction which designates the vehicle used by a physically disabled person and who have official business in the Courthouse of an unlimited duration between 7:30 a.m. and midnight.
  - (i) No Parking Area. The area of the County Courthouse Parking Lot where the parking of any vehicles at any time is strictly prohibited.
  - (j) Employees. Persons employed by the County in any of the departments located in the Courthouse or any other persons whose employment is located within any of the offices or departments in the Courthouse, Social services Building or County/City Public Safety Building.
- (2) PARKING AREAS DESIGNATED
- (a) No vehicle shall be parked, attended or unattended in any of the County Courthouse Parking Lots except in accordance with the designations placed on signs in the parking lots and then only in accordance with the regulations governing the use of such areas as defined in s. 7.01(1) (b) through (i) of the Code.

- (b) Employees, as defined in s. 7. 01 (1) (j) of the Code, who park in any of the County Courthouse Parking Lots must have a parking sticker and must park in the Employee Parking area. Employee parking stickers will be made available through the Winnebago County Personnel Office. All employee parking stickers must be affixed to the employee's vehicle on the face of the left end of the rear bumper.
- (3) DRIVEWAYS AND RAMPS. Except as otherwise provided, no vehicle except County Maintenance Department vehicles may be parked, attended or unattended at any time on any of the driveways or ramps of the Courthouse Parking Lots.
- (4) ENTRY AND DEPARTURE REGULATED. Operators of motor vehicles making use of the County Courthouse Parking Lots shall observe and comply with the regulatory and directional traffic signs for entry upon and departure from the parking lots.
- (5) PARKING SPACES. All vehicles shall be parked, attended or unattended, within the designated lines in the Courthouse Parking areas and in such manner so as not to cause a hazard or be an obstruction to vehicular or other traffic.
- (6) HOURS. No vehicle shall be parked, attended or unattended, in the County Courthouse Parking Lots between midnight and 7:30 a.m. other than employees of the County or persons engaged in official business at the Courthouse or Social Services Department or County/City Public Safety Building.
- (7) ENFORCEMENT. The County Sheriff's Department, or any person deputized by the Winnebago County Sheriff to enforce the provisions of this Ordinance, shall issue citations for parking violations at the County Courthouse Parking Lots.
- (8) AUTHORIZATION TO MOVE VEHICLES. Any vehicle parked in violation of this section may be moved or caused to be removed by the Sheriff, or any person deputized by the Winnebago County Sheriff to enforce the provisions of this Ordinance, from the present location of the vehicle to another area of the Courthouse Parking Lot or such other location as the Sheriff designates. Any vehicle so moved shall be released to the owner or operator thereof upon proper identification by that person and payment of the cost of removing the vehicle. The County shall not be liable for any damages to the removed vehicle which might result from the act of removal unless such damages can be shown to have resulted from the negligence of the County in such removal.
- (9) PROCEDURES FOR DISPOSITION OF PARKING VIOLATIONS.
- (a) Stipulations
1. Courthouse Parking Violations. All violations except as to handicapped parking. A person to whom a citation has been issued for violation of any of the provisions of this section of the Code may appear at the Winnebago County Sheriff's Department in answer to the said violation as set forth in the citation and may sign a Stipulation and pay a forfeiture of \$20.00.
- a. The amount of the forfeiture shall increase to \$50.00 if not paid within 48 hours after 6:00 P.M. of the day of the violation.
- b. If the forfeiture is not paid within five days after 6:00 P.M. of the day of the violation, the amount of the forfeiture shall be \$75.00.

- c. The failure of such person to make the aforementioned payment shall render such person subject to penalties hereinafter provided.
  - d. Each time a designated violation is noted by issuance of a citation, even though each violation shall be consecutive, shall constitute a separate violation.
2. Handicapped Parking Violations. A person to whom a citation has been issued for violation of Sec. 7.01(l) (g) of the Code may within 48 hours after six o'clock (6:00) P.M. of the day of the violation, appear at the Winnebago County Sheriff's Department in answer to the said violation as set forth in the citation and may sign a Stipulation and pay a forfeiture of \$50.00.
- a. The amount of the forfeiture shall increase to \$75.00 if not paid within 5 days after 6:00 P.M. of the day of the violation.
  - b. Thereafter and prior to commencement of court proceedings pertaining to said violation, the amount of the forfeiture shall be \$100.00.
  - c. The failure of such person to make the aforementioned payment shall render such person subject to penalties hereinafter provided.
  - d. Each time a designated violation is noted by issuance of a citation, even though each violation shall be consecutive, shall constitute a separate violation.
- (b) [§ 345.28](#) Wis. Stats. Procedures. The procedures for disposition of nonmoving traffic violations as provided in [§ 345.28](#) Wis. Stats. are hereby authorized and directed for use in disposition of violations of this section of the Code and, as provided in [§ 345.28\(4\)\(b\)](#) Wis. Stats., shall include both the suspension of vehicle registration under [§ 341.63 \(1\)\(c\)](#) Wis. Stats. and refusal of registration of any vehicle owned by said person under [§ 341.10 \(7m\)](#) Wis. Stats.

**7.01** **SPEED LIMIT REGULATIONS.** A traffic and engineering investigation having been made on the following described highways, the maximum permissible speed at which vehicles may be operated on such highways, which speed is herewith established as reasonable and safe pursuant to [§ 349.11](#), Wisconsin Statutes, shall be as set forth herein, subject to approval of the Department of Transportation and upon erection of standard signs giving notice thereof:

**(1) COUNTY TRUNK HIGHWAY "A"**

**(a)** Towns of Neenah, Oshkosh and Vinland:

- 1. 35 miles per hour for all vehicles from the city limits of the City of Neenah; southerly to Muttart Road.
- 2. 45 miles per hour from its intersection with Muttart Road southerly to the city limits of the City of Oshkosh.

**(2) COUNTY TRUNK HIGHWAY "AP"**



**(a) Town of Menasha:**

1. 35 miles per hour from its intersection with County Trunk Highway "P" easterly to its intersection with USH 10.

**(3) COUNTY TRUNK HIGHWAY "BB".****(a) Town of Menasha:**

1. 45 miles per hour from its intersection with Irish Road easterly to its intersection with Cold Spring Road.

**(4) COUNTY TRUNK HIGHWAY "CB".****(a) Town of Menasha and Town of Neenah:**

1. 45 miles per hour from CTH BB in Town of Menasha to the intersection of CTH JJ in the Town of Neenah.

**(5) COUNTY TRUNK HIGHWAY "E".****(a) Town of Algoma:**

1. 35 miles per hour from the city limits from the City of Oshkosh westerly to its intersection with Overland Trail.
2. 45 miles per hour from its intersection with Overland Trail to a point 0.45 of a mile west of its intersection with Horseshoe Road.

**(b) Town of Rushford:**

1. 25 miles per hour from a point 0.50 of a mile south of its intersection with County Trunk Highway "K", thence easterly for a distance of 0.40 of a mile from its intersection with County Trunk Highway "K".

**(c) Town of Nepeuskun:**

1. 45 miles per hour from a point 0.30 of a mile south of its intersection with County Trunk Highway "V" northerly to a point 0.50 of a mile north of its intersection with County Trunk Highway "V".

**(6) COUNTY TRUNK HIGHWAY "FF".****(a) Town of Utica:**

1. 45 miles per hour from its intersection with STH 44 northerly 1,380 feet, and thereafter 35 miles per hour northerly for 4,850 feet.

**(7) COUNTY TRUNK HIGHWAY "G".****(a) Town of Neenah:**

1. 45 miles per hour from its intersection with Woodenshoe Road easterly to its intersection with County Trunk Highway "A".

(b) Town of Vinland:

1. 45 miles per hour from a point 450 feet northeast of its 0.08 of a mile east of its intersection with Hilltop Road westerly for a distance of 0.52 of a mile.
2. 45 miles per hour from its intersection with USH 45 westerly for a distance of 1.0 miles.

**(8) COUNTY TRUNK HIGHWAY "H".**

(a) Town of Wolf River:

1. 35 miles per hour from the Waushara County Line easterly for a distance of 0.55 of a mile.

**(9) COUNTY TRUNK HIGHWAY "I".**

(a) Towns of Black Wolf and Nekimi:

1. 45 miles per hour from its intersection with Waukau Avenue southerly for a distance of 1.38 miles.

**(10) COUNTY TRUNK HIGHWAY "II"**

(a) Towns of Neenah, Menasha, and Clayton:

1. 35 miles per hour from its intersection with USH 41 westerly for a distance of 1.58 miles.
2. 45 miles per hour from a point 1.58 miles west of USH 41 to a distance of 0.30 of a mile west of STH 76.

(b) Town of Winchester:

1. 30 miles per hour from a point 0.225 of a mile east of its intersection with County Trunk Highway "M" westerly 1.25 miles.
2. 45 miles per hour from a point 1.00 miles from County Trunk Highway "M" westerly to Bison Road.

(c) Town of Wolf River:

1. 45 miles per hour from a point 0.83 of a mile west of Town Line Road westerly for a distance of 0.35 of a mile.

**(11) COUNTY TRUNK HIGHWAY "JJ"**

(a) Towns of Vinland, Clayton and Neenah:

1. 45 miles per hour from its intersection with STH 76 easterly for a distance of 2.20 miles.
2. 40 miles per hour from point 2.20 miles east of STH 76 easterly to Tullar Road.

**(12) COUNTY TRUNK HIGHWAY "K"****(a) Town of Algoma:**

1. 35 miles per hour from the city limits of the City of Oshkosh westerly to its intersection with Clairville Road.

**(b) Town of Rushford:**

1. 25 miles per hour from a point 0.40 of a mile southeast of its intersection with County Trunk Highway "E" northwesterly for a distance of 0.70 of a mile.
2. 35 miles per hour from its intersection with STH 116 northwesterly for a distance of 0.38 of a mile.

**(13) COUNTY TRUNK HIGHWAY "M"****(a) Town of Utica:**

1. 35 miles per hour from its intersection with STH 44 southeasterly for a distance of 0.35 of a mile.
2. 25 miles per hour from its intersection with STH 44 northerly for a distance of 0.19 of a mile.
3. 45 miles per hour from a point 0.19 of a mile north of STH 44 to its intersection with Mountain Road.

**(b) Town of Winneconne:**

1. 45 miles per hour from its intersection with STH 116 northerly to its intersection with County Trunk Highway "G".

**(14) COUNTY TRUNK HIGHWAY "N"****(a) Towns of Nekimi and Utica**

1. 45 miles per hour from its intersection with USH 26 and westerly to its intersection with USH 44.

**(15) COUNTY TRUNK HIGHWAY "O"****(a) Towns of Neenah and Menasha:**

1. 35 miles per hour from its intersection with USH 41 westerly to its intersection with County Trunk Highway "I".

**(16) COUNTY TRUNK HIGHWAY "P"****(a) Town of Menasha:**

1. 35 miles per hour from its intersection with STH 47 westerly and southerly to its intersection with Ninth Street in the City of Menasha.





**(17) COUNTY TRUNK HIGHWAY "R".****(a) Town of Black Wolf**

1. 45 miles per hour from USH 45 southerly for a distance of .63 miles and then;
2. 55 miles per hour from that point to the south Winnebago County line or boundary with Fond du Lac County (Elm Avenue).

**(18) COUNTY TRUNK HIGHWAY "S"****(a) Town of Oshkosh**

1. 45 miles per hour from its intersection with County trunk Highway "T" northerly for a distance of 0.68 of a mile.

**(b) Towns of Vinland and Winneconne:**

1. 45 miles per hour from a point 1.49 miles south of its intersection with STH 116 northerly to STH 116.

**(19) COUNTY TRUNK HIGHWAY "T".****(a) Town of Clayton:**

1. 25 miles per hour from its intersection with County Trunk Highway "I" southerly to a point 0.25 of a mile easterly from its intersection with Grandview Road.
2. 45 miles per hour from its intersection with Breezewood Lane northerly and westerly to a point 0.25 of a mile southeast of Grandview Road.

**(b) Town of Oshkosh:**

1. 45 miles per hour from its intersection with USH 45 northerly to its intersection with Brooks Road.

**(20) COUNTY TRUNK HIGHWAY "Y".****(a) Town of Oshkosh:**

1. 45 miles per hour from its intersection with County Trunk Highway "S" easterly to its intersection with County Trunk Highway "A".

**7.02 LICENSING OF HAYRACK & SLEIGH RIDES, AND THE LIKE.**

- (1) **License Required.** As provided in [§ 349.25](#) Wis. Stats., no vehicle commonly known as a hayrack ride, a sleigh, box sled or bobsled ride or a ride of similar nature may be operated upon a highway in Winnebago County without the owner thereof obtaining a license from the Winnebago County Board of Supervisors before operating such vehicle. All such licenses issued shall include a provision for expiration not later than 1 year after date of County Board approval.

- (2) **Application For License.** Application for a license to operate a vehicle hereunder shall be made to the County Clerk by the owner thereof on a form to be provided by the Clerk. Before any such license is issued such application shall be completed, signed and sworn to by the applicant before the County Clerk, bear the signature of the Winnebago County Sheriff with regards a determination concerning arrest or conviction record, and be authorized for issuance by resolution adopted by the Winnebago County Board of Supervisors as provided by law.
- (3) **Liability Insurance.**
- (a) No license to operate a vehicle hereunder shall be issued unless and until the owner shall have filed with the County Clerk a certificate of insurance issued by an insurance company licensed to do business in the State of Wisconsin, indicating insurance coverage for such vehicles, (which must be specifically described in the policy) with a minimum liability of Ten Thousand (\$10,000) Dollars for the injury or death of any one (1) person, and subject to the same limit per person a minimum liability of Fifty Thousand (\$50,000) Dollars for the injury or death or any number of persons in one (1) accident. Said certificate shall further provide that the policy of insurance cannot be canceled until ten (10) days notice of such cancellation shall have been given to the Winnebago County Insurance Administrator. The term of the insurance policy shall correspond with the term of the license period.
- (b) The cancelation or other termination of any insurance policy issued in compliance herewith shall automatically revoke and terminate all license issued for the vehicles covered by such insurance policy unless another policy or bond complying with these provisions shall be provided and be in effect at the time of such cancellation or termination.
- (4) **License Fees.** The fee for a license issued hereunder shall be **Twenty-five dollars (\$25.00)** per year or fraction thereof.
- (5) **Definitions.** In this section:
- (a) "Highway" means all public ways and thoroughfares and bridges or the same as defined in [§ 340.01\(22\)](#) Wis. Stats.
- (b) "Vehicle" means a device to be operated on a highway for the purpose of transporting persons for hire in what is commonly known as a hayrack ride, a sleigh, box sled or bobsled ride or a ride of similar nature.
- (6) **Penalty.** The penalty for violation of any provision of this section of the Code shall be not more than \$100.00 or imprisoned not more than 30 days.
- (7) **Effective Date.** This section of the Code shall take effect upon passage and publication as provided by law.

7.03 **(Repealed).** See Section 7.14.

## 7.06 **UNIFORM ADDRESSING SYSTEM**

- (1) **AUTHORITY.** The provisions of this ordinance are adopted by the Winnebago County Board of Supervisors pursuant to the authority granted in [§ 59.54\(4\)](#), Wis Stats.
- (2) **TITLE.** This ordinance shall be known as the "Winnebago County Uniform Addressing System Ordinance".



- (3) **PURPOSE & INTENT.** This Ordinance is adopted to provide for a uniform countywide addressing system that will serve the following purposes:
- (a) To aide in the timely and efficient delivery of civil defense, fire protection, and emergency services to the citizens of Winnebago County.
  - (b) To eliminate road naming and addressing duplication which causes confusion for the public and private sector, citizens of Winnebago County, and persons traveling on County roadways.
  - (c) To assist public and private enterprise in the timely and efficient delivery of goods and services to the citizens of the county; for example: mail delivery, home services and repair businesses.
- (4) **APPLICABILITY.** This Ordinance shall be applicable to properties addressed before the effective date of this ordinance and to properties requiring addresses after the effective date of this Ordinance as follows:
- (a) To all unincorporated "Rural" areas of Winnebago County, as defined on the adopted map described in the General Provisions section of this Ordinance.
  - (b) Unincorporated "Metro" areas of Winnebago County, as defined on the adopted map described in the General Provisions section of this Ordinance and in the legal description detailed in Appendix "A" of this Ordinance, are exempt from this Ordinance, unless as otherwise indicated in this Ordinance or any adopted intergovernmental agreements. The Town of Menasha shall have the authority to assign address number and signs in the Town of Menasha Metro Area based on the Town's existing addressing system.
  - (c) Incorporated areas are exempt from this Ordinance, unless as otherwise indicated in any adopted intergovernmental agreements.
- (5) **ABROGATION AND GREATER RESTRICTIONS.** Hereinafter where this ordinance imposes greater restrictions than any local ordinances, the provisions of this ordinance shall apply.
- (6) **SEVERABILITY AND NONLIABILITY.** If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.
- (7) **GENERAL PROVISIONS.**
- (a) **Adoption of Uniform Addressing System (UAS).** The following shall apply to Unincorporated "Rural" and Unincorporated "Metro" Areas.
    1. A uniform system of addressing properties and structures in Winnebago County, as shown on the map entitled Winnebago County Uniform Addressing System, which is on file in the Winnebago County Planning and Zoning Office, and all explanatory material contained on said map thereon.
    2. All land within the unincorporated boundaries of Winnebago County shall be identified by reference to the UAS.

3. To maintain the stated purpose and intent of this ordinance, the report entitled "Inventory of Addressing Changes, Winnebago County", dated June, 1993 and prepared by the Winnebago County Planning Department and Winnebago County Sheriff's Department (E-911 Center), and the maps accompanying said report are hereby incorporated as part of this ordinance. Said report shall be on file in the Winnebago County Planning and Zoning Office.
  4. A document entitled "Winnebago County Alpha Road Listing", including periodic updates and amendments to said document, shall be maintained by Winnebago County as the official Countywide index for road names. Questions or disputes regarding road names within the index shall be reviewed and resolved by the Winnebago County Planning Department.
- (b) "Metro" and "Rural" Boundaries. The following shall apply to Unincorporated "Rural" and Unincorporated "Metro" Areas;
1. Intergovernmental agreements defining boundaries for Metro and Rural areas and identified on the adopted map entitled Winnebago County Uniform Addressing System, and on file in the Winnebago County Planning Office are hereby adopted and made part of this ordinance.
  2. Appendix "A" of this ordinance shall establish the Metro Addressing Areas of Winnebago County. All unincorporated areas not described as a metro addressing area within Appendix "A" shall be within the Rural Addressing Area.
  3. Structures and uses requiring address numbers per this ordinance and accessing roadways that are boundary lines for defined Metro and Rural areas shall adhere to the Rural UAS and, therefore, to the requirements of this ordinance, unless otherwise noted.
- (c) Assignment of Addresses. The following provisions shall apply to Unincorporated Rural and Unincorporated Metro Areas, unless otherwise indicated. Unique situations not described here shall be addressed on a case-by-case basis per the stated purpose and intent of this ordinance.
1. Procedure. Costs of address number sign shall be the responsibility of the property owner. Address signs shall be posted per the specifications detailed in this ordinance. Procedures for assigning address number and obtaining signs are detailed as follows:
    - a. Procedures for Unincorporated Rural Addressing Areas and Unincorporated Metro Addressing Areas, excluding the Town of Menasha.
      - (1) The County shall assign address numbers as part of its sanitary or building/zoning permit approval process based on the applicant's site plan.
      - (2) The County shall indicate the assigned number on or accompanying the approved permit. Applicant shall be instructed by the County to obtain the address number sign from the applicable Town by submitting the approved permit and assigned number to the Town. The Town shall issue an address number sign to the applicant based on the assigned number displayed with the permit.

- (3)** In those situations, or areas not covered by County permit authority, the Town, as part of its building permit process or culvert permit process shall notify the applicant that he/she shall obtain an assigned address from the County. Applicant shall provide the County with a site plan. Site plan shall be drawn to scale that precisely identifies the location of the driveway access point in relation to the intersection with the abutting roadway and the boundaries of the parcel. The applicant shall then obtain the address number sign from the Town based on the number assigned by the County.
- b.** Procedures for Town of Menasha Metro Area. The County shall notify the applicant for a sanitary permit or building/zoning permit that the address number and sign shall be obtained from the Town of Menasha.
- 2.** Criteria. The following criteria shall be followed when assigning address numbers. The provisions of subparagraphs a, d, and e below shall not apply to Unincorporated Metro Areas.
- a.** Per the adopted UAS, address numbers shall be assigned in intervals of 13.2 feet. This equals 200 even numbers and 200 odd numbers per mile for both the east-west direction and the north-south direction. Where necessary, slight adjustments may be made to the 13.2 foot interval so as to maintain uniformity and consistency in addressing.
- b.** Unincorporated metro areas shall be addressed based on the intervals previously devised by the metro area's incorporated municipality.
- c.** Existing properties addressed before the effective date of this ordinance and required to mount new address numbers under this ordinance shall do so within 30 calendar days from the date of receipt of the new address number.
- d.** Diagonal roadways shall be numbered as north-south or east-west depending upon the direction of said roadway over its entirety and its relationship to nearby roadway addresses.
- e.** Address numbers shall be assigned on the basis of the location of the centerline of the driveway access point as it intersects the roadway. In addition, the following shall apply:
- (1)** Two separate properties sharing the same driveway shall be addressed successively.
- (2)** Properties with multiple driveway access points shall be addressed based on the location of the midpoint of the two outer driveway access points. If one driveway access point is elongated and accesses at a significant distance away from the principal structure, the property shall be addressed based on the location of the access point closest to the principal structure. Additional provisions for multiple driveway access points for corner lots are detailed below.

- (3)** If the location of a driveway access point changes, the following shall apply:
- (a)** the present address number may remain unless, or until such time, the change in location disrupts the orderly and uniform sequence of the addressing system as detailed in this ordinance. Final determinations of possible renumbering shall be made by the County.
  - (b)** Changing the location of the driveway to another roadway, different from which it previously accessed upon, shall require the property to be readdressed within 30 days of relocation.
- (4)** Provision for corner lots. Structures located on corner lots shall be addressed in the following manner:
- (a)** Structures with the main front entrance facing one roadway and having a driveway access point accessing upon another roadway shall be addressed based on the location of the driveway access point. The address number distributed shall face the roadway in which the driveway accesses upon and mounted on the structure or posted at the driveway access point based on the specifications detailed in this ordinance.
  - (b)** Structures with multiple driveway access points accessing upon more than one roadway shall be addressed according to the following:
    - i. the location of the driveway access point that accesses upon the roadway in which the direction of the structure's main front entrance faces shall be used for determining the address.
    - ii. structures positioned in such a manner so as to make it difficult to select what roadway the front entrance faces shall be addressed based on the driveway access point where the mailbox is located.
- f.** Address numbers shall be assigned to each lot within a proposed subdivision plat submitted to the County for review and approval under [chapter 236](#), Wisconsin Statutes. Address numbers shall be clearly displayed on the face of the plat and assigned as follows:
- (1)** Assignment of address numbers shall be based on the centerpoint of the parcel boundary where it abuts the roadway to be used for ingress and egress to said parcel.
  - (2)** Adjustment of the assigned address number may be made at the time of issuance of a building/zoning permit or sanitary permit so as to maintain uniform and consistent sequencing of address numbers per the adopted U.A.S.
  - (3)** Corner lots displayed on the plat shall be assigned two address numbers - each to reflect the two different roads the property abuts. A finalized address will be awarded at the time of issuance of the building permit.
  - (4)** Issuance and mounting of address number is not required until the building/zoning or sanitary permit is issued.

- g. Assignment of Even and Odd Numbers:**
- (1)** Even numbers: all structures and uses requiring an address number located on the east side of north-south roads and located on the north side of east-west roads shall be assigned even numbers.
  - (2)** Odd numbers: all structures and uses requiring an address number located on the west side of north-south roads and located on the south side of east-west roads shall be assigned odd numbers.
  - (3)** Cul-de-sac and deadend roads shall be numbered as other roads except that an even and an odd number shall abut at a point along the turning circle.
  - (4)** Roads that loop or circle may be addressed in a manner keeps the even numbers on one side and odd numbers on another side, avoiding potential "flip-flop" in the even/odd designations, unless otherwise necessary.
- h. Structures shall be assigned address numbers per the following:**
- (1)** To all principal structures, as defined in this ordinance. Principal structures with common walls and separate front entrances, such as a row of townhouses or duplexes, shall be assigned individual address numbers.
  - (2)** Separate internal units of condominiums and apartments shall be designated with sub-numbers or letters, not individual property numbers.
  - (3)** To accessory structures only when they are isolated from the principal structure or are not associated with a principal structure and contain a driveway access point.
  - (4)** To any other structures not associated with a principal structure, that contain a driveway access point, such as electrical substations, radio /T.V. towers, warehouses, storage facilities, utility buildings, permanent billboards, and other structures as determined by the County.
  - (5)** Only one number shall be assigned in cases where more than one structure exists and generally the structure located closest to the driveway access point shall be assigned the address number. However, principal structures shall take precedence over all other structures when numbers are assigned.
- i.** Principal land uses containing no accompanying structures may be assigned address numbers at the discretion of the County. Those parcels containing an ongoing business operation or a public facility, but no accompanying structure, shall be assigned address numbers.
- j.** Numbers shall be mounted as indicated in this ordinance before any construction commences on the property or within 30 days from the date a building/zoning or sanitary permit is issued, whichever is sooner.

- k. Predirectionals, such as "N" for North or "S" for South, shall not be allowed unless approved by the County and as are necessary to maintain the stated purpose and intent of this ordinance.
3. In unique situations where addressing will not conform, in practicality, with the adopted UAS specifications detailed in this ordinance, the County shall have the authority to coordinate the addressing in such a manner so that the stated purpose and intent of this ordinance is maintained.
- (d) Road Naming.** The following provisions shall apply to Unincorporated Rural and Unincorporated Metro Areas:
1. All roadways, as defined in this ordinance, shall be named. In addition, the following shall apply:
    - a. A driveway (principal access) that becomes a principal access for a third property shall be redefined as a roadway and, therefore, shall be named. As such, all present properties accessing upon the roadway shall be readdressed to coincide with the newly named roadway.
    2. Road Name Duplication. The following provisions shall apply when a new road name is proposed or an existing road name is proposed to be changed or extended:
      - a. Road names shall not duplicate or sound like existing road name(s) regardless of their location within the County.
      - b. Numbered road names, for example "10th" Street or "Seventh" Street, shall continue to be permitted provided they are used within incorporated areas only and are used as part of an existing numbered street pattern containing uniformity and consistency.
      - c. Request for proposed road name changes or naming new roads shall be made to the County. The County shall have the authority to approve or reject the proposed road name request based on potential duplication or similarity to existing road names.
      - d. An individual road containing duplication in ranges shall change its name on a portion of the road to eliminate the duplication. The change in name should occur where physical breaks are present, such as intersections or directional changes. These situations usually occur with "U-shaped" roads or roads that loop and change direction often.
      - e. Duplicate road names without duplicate address ranges existing before the adoption of this ordinance shall be allowed to remain. However, if a road extension occurs that creates a duplication in both the road name and address numbers, then the road causing the duplication shall be renamed to eliminate the duplication.
      - f. Roads forming a deadend "T" configuration shall be posted at the junction of the direction change with signage indicating the direction of the number ranges, or the road shall be renamed at direction changes to eliminate confusion on the location of address numbers. The purpose for this is to eliminate confusion and delay on which direction an address range is located.
  3. Road names using hyphens shall not be allowed.





- (e) Specifications and Mounting of Address Numbers. The following provisions shall apply to Unincorporated Rural and Unincorporated Metro Areas:
1. Only address number signs approved by the County shall be used as the official address number for a property to be addressed under this ordinance. To maintain consistency, the County will continue to allow distribution of the same type, color and style of addressing signs previously chosen by each of the Towns' as their official addressing numbers provided the signs are consistent and uniform relative to other signs in the Town, and are clearly visible from the abutting roadway.
  2. In no cases shall script numbers be allowed for use as the official addressing number.
  3. Structures and uses requiring an address number under this ordinance shall have the number mounted so it is clearly visible from the abutting roadway in the following manner:
    - a. Structures located 75 feet or less from the right-of-way of the abutting roadway shall have the option of mounting the assigned number by its main front entrance or posted at the principal access point per the specifications of this section.
    - b. Address numbers shall be posted at the driveway access point if any one of the following occurs:
      - (1) Structures setback more than 75 feet from the right-of-way of the abutting roadway.
      - (2) Structures located in such a manner that the visibility of the address number is obscured or is not discernible from the abutting roadway, regardless of the structure's distance from the road right-of-way. Final determination of the discernibility of the sign shall be within the discretion of the County.
      - (3) Vacant parcel(s) of land awarded a sanitary or building/zoning permit. When the structure required to be addressed is completed, removing the address number at the driveway access point shall be allowed only if the structure is located 75 feet or less from the road right-of-way and meets the visibility requirements of this section.
      - (4) If there are no structures on the property, but the property contains a driveway access point, these shall include principal land uses.
  4. Properties required to mount address numbers at the driveway access point may wish to also include an address number on the main front entrance of the principal structure.
  5. Address numbers shall be mounted both on the structure and at the driveway access point when two separate properties containing structure(s) to be addressed under this ordinance share the same driveway.
  6. The following specifications shall be followed when mounting address numbers at the driveway access point:

- a. Numbers shall be posted on the right side of the driveway access point when viewing the property from the roadway. The sign shall be located no more than 10 feet from the abutting road right-of-way and no more than 20 feet from the edge of driveway. In some site specific cases, numbers may be posted on the left side of the driveway when viewing the property from the roadway.
  - b. The number shall be mounted on a post made of metal or other durable material and shall face the abutting roadway so as to be easily visible. The sign and post shall be maintained by the property owner in an acceptable manner.
7. Although required by the Postal Service for mail delivery, for the purposes of this ordinance it shall not be acceptable to use mailboxes as the device for posting address numbers.
- (f) Specifications and Mounting of Road Name Signs.** The following provisions shall apply to Unincorporated Rural and Unincorporated Metro Areas:
- 1. Road name signs shall be posted for roadways only, as defined in this ordinance. No road name signage shall be allowed for driveway accesses, as defined in this ordinance, unless expressly approved by the County to maintain the stated purpose and intent of this ordinance. Any existing road name signage for driveway accesses erected before the implementation of this ordinance shall be removed by the property owner(s) no later than December 31, 1993.
  - 2. The following minimum standards shall apply for road name signs:
    - a. Material. Signs shall consist of engineer grade reflective sheeting on aluminum or other durable metal.
    - b. Color. Signs shall consist of contrasting colors. White lettering on green background is recommended.
    - c. Size and Lettering. Signs shall be reflectorized or illuminated. In addition, the following shall apply:
      - (1) Name of Road. At minimum, use 4" Series B upper-case letters on 6" flat blade sign blank for name of road. Road name abbreviations are not acceptable.
      - (2) Supplementary Lettering. At minimum, use 2" Series Upper-case letters for "Road", "Lane", "Street", "North", "South", etc. Conventional abbreviations are acceptable, but shall be approved by the County.
      - (3) Block Number. At minimum, use 2" Series B numbers positioned in the bottom right hand corner of the sign to designate the block number of the street. Arrows shall be used to indicate the direction of the number range.
    - d. Visibility. The sign shall be free of any bushes, limbs, or other obstacles that may inhibit the clear view of the sign.
    - e. Placement. Signs naming all intersecting roads shall be posted at all intersections. Signs shall be placed on approved metal posts at a recommended height of 5 feet above the pavement.



3. The cost of road name signs shall be the financial responsibility of each individual Town or by arrangement with developers or private landowners.

(8) **ADMINISTRATION & ENFORCEMENT.** The following subsection shall apply to Unincorporated Rural and Unincorporated Metro Areas:

- (a) **Administration.** The Winnebago County Planning and Zoning Department and Sheriff's Department shall have the authority to administer this ordinance. Said department shall have the authority to resolve disputes arising out of the provisions of this ordinance.
- (b) **Enforcement.** The Winnebago County Sheriff's Department shall have the authority to enforce compliance with the provisions of this ordinance.
- (c) **Violations and Penalties.** Any person who shall violate any provisions of this ordinance shall be subject to the penalty(s) as provided for in Section 25.04 of the General Code of Winnebago County, Wisconsin. Winnebago County has adopted, pursuant to [§ 66.0113](#), Wis. Stats., the citation system of enforcement of this ordinance; and the following schedule of cash deposits as provided in Section 25.04(4) of the Winnebago County General Code is hereby established: (1) Failing to erect the proper addressing sign in accordance with the provisions of this ordinance: \$25 plus costs; and (2) All other violations of this ordinance: \$25 plus costs.

(9) **DEFINITIONS.** The following shall apply to Unincorporated Rural and Unincorporated Metro Areas:

- (a) **Accessory Structure:** A detached uninhabited structure subordinate to the principal structure and serving a purpose customarily incidental to the principal structure.
- (b) **Construction:** For the purposes of this ordinance construction shall include initial site grading of a property, the haulage and placement of construction materials onto a property, and the actual building of a structure on a property required to be addressed.
- (c) **County:** Winnebago County or its designated appointee(s), representative(s), committee(s), or department(s).
- (d) **Driveway Access:** A privately-owned prevailing (or principal) way of approaching or entering (ingress and egress) less than three properties required to be addressed under this ordinance.
- (e) **Driveway Access Point:** The spot where the principal driveway access intersects with the abutting roadway.
- (f) **Principal Land Use:** The predominant use of a particular property containing no accompanying structure. Typically, these uses have been created by man-made activity and are relatively permanent in nature. Principal uses may include, but are not limited to, extraction sites, landfill sites, parks and airstrips. The definition excludes such vacant uses as agricultural lands, wetland/conservation areas, woodlands and other vacant lands.
- (g) **Principal Structure:** The predominant structure on a property that directly relates to the overall use of the property and is distinguishable from an accessory structure. For example, the principal structure for a residential use would be the inhabited dwelling unit.



- (h) **Roadway or Road:** An open strip of land providing access for vehicles to abutting property and provides for intraregional and interregional routing of vehicular traffic. For the purposes of this ordinance, roadways shall include all roads dedicated to the public or purchased for public use and all private roads and easements containing principal access from three or more properties required to be addressed under this ordinance. Roadways are commonly referred to or known as streets, boulevards, highways, lanes, circles, etc.
- (i) **Structure:** Anything that is permanently constructed or erected on the ground or which is attached to something on the ground. For the purposes of this ordinance, structures shall include, but are not limited to, buildings (such as houses, garages, sheds, warehouses, barns), mobile homes, radio and T.V. towers, storage facilities, electrical substations.
- (j) **Unincorporated Metro Addressing Area(s):** All Town areas (in Winnebago County), which are located in metro addressing areas as defined in Appendix "A" of this ordinance. Otherwise known as "Unincorporated Metro Area", "Metro Area", "Metro Addressing Area" or any other similar reference.
- (k) **Unincorporated Rural Addressing Area:** All Town areas (in Winnebago County) which are not located within the metro addressing areas as defined in Appendix "A" of this ordinance. Otherwise known as "Unincorporated Rural Area", "Rural Area", "Rural Addressing Area" or any other similar reference.

## 7.10 **UTILITY PERMITS UPON WINNEBAGO COUNTY TRUNK HIGHWAYS**

- (1) This Ordinance is adopted pursuant to the authority granted under [§ 59.04, 83.025, 86.04](#) and [86.07](#), Wis Stats.
- (2) **Purpose and Intent.** The purpose of this Ordinance is to regulate the installation of utilities above, under or parallel to Winnebago County Trunk Highways in the interest of public safety, by assuring that utility installation meets certain engineering safety requirements; to reduce highway accidents; to promote the balanced use of land for the mutual protection of landowners, motorists and citizens of Winnebago County; and to enhance the appearance of County Trunk Highways so as to make highway travel more pleasant.
- (3) **Severability.** If any section, provision or portion of this Ordinance is adjudged invalid by a Court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.
- (4) **Jurisdiction.** This Ordinance shall apply to all landowners installing or reinstalling utility transmission devices over, under, across or parallel to Winnebago County Trunk Highways in Winnebago County.
- (5) **Definitions.**
- (a) "Utility" means electric, gas, gasoline, oil, telephone, water, cable television lines, pipes, or other devices designed or primarily utilized for the transmission thereof over, under, across or parallel to Winnebago County Trunk Highways.
- (6) **Compliance with Ordinance.** Any person, firm or corporation seeking to install or reinstall a utility over, under, across or parallel to a Winnebago County Trunk Highway shall comply with the requirements of this Ordinance and any other applicable County Ordinances and regulations and master plan or master plan components adopted by Winnebago County.



**(7) Permit Required to Install, or Reinstall or Reconstruct Utility.**

- (a) No utility shall be installed, reinstalled or reconstructed over, under, across or parallel to a Winnebago County Trunk Highway without the person, firm or corporation seeking to install, reinstall or reconstruct the utility first obtaining a permit from the Winnebago County Highway Commission.
- (b) Applications for permits to install, reinstall or reconstruct utilities shall be applied for at the Winnebago County Highway Commission, 901 West County Road Y, Oshkosh, Wisconsin, upon forms to be provided by the Winnebago County Highway Commission.
- (c) Fees for utility permits shall be as follows: Application Fee \$ 75.00 In addition to Application Fee:

Boring Fee	\$100.00
Open Cut Fee	\$500.00
Permit to Close Road (per day)	\$300.00
Trenching Parallel to Right of Way (per lineal foot)	\$.10
Suspension of Lines from Poles, Towers or Plowing of Lines (per lineal foot)	\$.05

**1. Definitions:**

- a. Boring - Where a circular hole is drilled under the road without disturbing the road surface.
- b. Open Cut - The cutting of a trench or an opening across a road surface.
- c. Plowing - The threading of an electrical or telecommunications line into the soil by the use of a mechanical device specifically designed for that purpose with minimal disturbance to the soil surface.

- (d) Permits shall be issued only in the name of the owner of the property upon which utility installation or reinstallation is to occur.

- (8) **Location, Design and Installation Requirements.** The location, design and installation of utilities over, under, across or parallel to Winnebago County Trunk Highways shall be in accordance with such engineering safety requirements as are promulgated, in writing, by the Winnebago County Highway Commission.

- (9) **Violations and Penalties.** (a) Any person, firm or corporation violating any provisions of this section of the Code shall, upon adjudication of guilt as to such violation, be subject to a penalty as provided in Section 25.04 of this Code.

**7.11 PERMIT FOR OPERATION OF OVERSIZE VEHICLES UPON COUNTY TRUNK HIGHWAYS.**

- (1) This Ordinance is adopted pursuant to the authority granted under [§59.04](#), [83.025](#), [86.04](#), [86.07](#), [148.05](#), [348.06](#), [348.07](#) and [348.15](#), Wisconsin Statutes.



- (2) **Purpose.** The purpose of this Section is to regulate the utilization of Winnebago County Trunk Highways by oversized vehicles and to promote the safe and efficient use of County Trunk Highways; and to reduce highway accidents.
- (3) **Severability.** If any section, provision or portion of this Ordinance is adjudged invalid by a Court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.
- (4) **Jurisdiction.** This Ordinance shall apply to all highways designated as County Trunk Highways in Winnebago County, pursuant to [§ 83.025](#), Wisconsin Statutes.
- (5) **Compliance with Ordinance.** Any person, firm or corporation seeking to operate an oversized vehicle upon a Winnebago County Trunk Highway shall comply with the requirements of this Ordinance.
- (6) **Definitions.**
- (a) **Oversized Vehicle** means any vehicle which is over-wide, over-high, over- long or over-weight in contravention of [§ 348.05](#), [348.06](#), [348.07](#) or [348.15](#), Wis Stats.
- (b) A fee of \$100.00 shall be assessed by the Highway Commission to those making application for the issuance of a permit for the operation of an overweight, over- height, over-width or over-length vehicle upon Winnebago County Highways.
- (7) **Permit Required to Operate Oversized Vehicle.**
- (a) No person, firm or corporation shall operate an oversized vehicle upon Winnebago County Trunk Highways without first obtaining a permit from the Winnebago County Highway Commission.
- (b) Applications for permits to operate oversized vehicles upon Winnebago County Trunk Highways shall be applied for at the Winnebago County Highway Commission, 1221 Knapp Street, Oshkosh, Wisconsin, upon forms to be provided by the Winnebago County Highway Commission.
- (c) The charge of \$100.00 shall be assessed by the Highway Commission to those making application for the issuance of a permit for the operation of an overweight vehicle upon Winnebago County highways. A charge of \$10.00 shall be assessed by the Highway Commission to those persons making application for the issuance of a permit for the operation of an over-high, over-wide, or over-long vehicle upon Winnebago County Trunk Highways.
- (d) Permits shall be issued only in the name of the owner of the vehicle to be operated.
- (8) **DENIAL OF APPLICATION.** The Winnebago County Highway Commission may refuse to grant a permit upon application for the operation of an oversized vehicle upon Winnebago County Highways under the following conditions:
- (a) When operation of such a vehicle is likely to interfere with the safety of those persons utilizing Winnebago County Trunk Highways.
- (b) When the weight of a vehicle is such so as to be likely to cause damage to a Winnebago County Trunk Highway as a result of operation thereupon.

- (9) **RESTRICTIONS.** The Winnebago County Highway Commission may issue a permit for the operation of an oversized vehicle upon Winnebago County Trunk Highways with such restrictions as it deems appropriate so as to protect the safety and welfare of those persons utilizing Winnebago County Trunk Highways.

(10) **VIOLATIONS AND PENALTIES.**

- (a) Any person, firm or corporation violating any provisions of this section of the Code shall, upon adjudication of guilt as to such violation, be subject to a penalty as provided in Section 25.04 of this Code.

**7.12 PENALTY.** The penalty for violation of any provision of this chapter shall be a forfeiture as hereafter provided together with costs under [§ 345.27](#), Wisconsin Statutes.

- (1) STATE FORFEITURE STATUTES. Forfeiture for violation of Sec. 7.340.01 to Sec. 7.348.28 shall conform to the forfeiture permitted to be imposed for violation of the statutes adopted by reference, including any variations or increases for subsequent offenses, provided the forfeiture for a non-moving violation shall be not less than \$1 nor more than \$20.
- (2) STATE FINE STATUTES. The forfeiture for violation of any statutes adopted by reference hereunder for which the penalty is a fine shall not exceed the maximum fine permitted under such statute.

**7.13 ENFORCEMENT.**

(1) PROCEDURE. This chapter shall be enforced according to [§ 66.0114, Chapter 299](#) and [§ 345.20](#) to [§ 345.53](#), Wisconsin Statutes.

(2) DEPOSIT.

- (a) Any person arrested for a violation of this chapter may make a deposit of money as directed by the arresting officer at the offices of the County Sheriff or at the Office of the Clerk of Court or by mailing the deposit to such places. The arresting officer or the person receiving the deposit shall comply with [§345.27](#), Wisconsin Statutes, or, if the deposit is mailed, the signed statement required under [§ 343.27](#) shall be mailed with the deposit. The arresting officer or the person receiving the deposit shall notify the arrested person, orally or in writing that:

1. If he fails to appear in court at the time fixed in the citation, he will be deemed to have tendered a plea of no contest and submitted to a forfeiture plus costs not to exceed the amount of deposit; or
2. If he fails to appear in court at the time fixed in the citation, and if the court does not accept the deposit as a forfeiture, he will be summoned into court to answer the complaint.

(b) The amount of the deposit shall be determined in accordance with the deposit schedule established by the Board of Circuit Judges.

(c) The arresting officer or the person receiving the deposit shall issue the arrested person a receipt therefore as required by [§ 345.26\(3\)\(b\)](#).



- (d) If a deposit schedule has not been established, the arresting officer shall require the alleged offender to deposit not less than the maximum forfeiture permitted under this chapter.
- (3) **STIPULATION OF NO CONTEST.** Any person charged with a violation of this chapter except Sec. 7.346.62(1) and Sec. 7.346.63(1) may at the time of the alleged violation or within 5 days thereafter make a stipulation of no contest pursuant to [§ 345.27](#), Wisconsin Statutes. Such person shall at the time of entering into the stipulation make the deposit as required under sub. (2) of this section. A person who has mailed or filed a stipulation under this subsection may, however, appear in court on the appearance date.

#### **7.14 DRIVEWAY ACCESS TO COUNTY TRUNK HIGHWAYS.**

- (1) This Ordinance is adopted pursuant to the authority granted under [§ 59.03](#) and [83.025](#), Wisconsin Stats. This ordinance shall apply to all designated and undesignated county trunk highways in Winnebago County.
- (2) **APPLICABILITY.** This ordinance shall act to repeal and recreate Section 7.14, General Code of Winnebago County. All permits and resulting conditions existing under Section 7.04 (repealed); See Appendix B) and 7.05 General Code of Winnebago County prior to the date of enactment of this ordinance shall be transferred to that authority contained within this ordinance.
- (3) **PURPOSE AND INTENT.** The purpose of these regulations is to promote the safe and efficient ingress and egress to County Trunk Highways in the interest of public safety by assuring that driveways accessing to County Trunk Highways meet certain engineering safety requirements; to reduce highway accidents caused by frequent and poorly designed driveways; to reduce soil erosion adjacent to County Trunk Highways; to promote the balanced use of land for the mutual protection of landowners, motorists and citizens of Winnebago County; and to enhance the appearance of County Trunk Highways so as to make highway travel more pleasant.
- (4) **SEVERABILITY.** If any section; provision or portion of this Ordinance is adjudged invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.
- (5) **COMPLIANCE WITH ORDINANCE.** Any person, firm or corporation seeking to construct or reconstruct a driveway with access upon a County Trunk Highway within Winnebago County shall comply with the requirements of this Ordinance and any other applicable County Ordinances and regulations and master plans or master plan components adopted by Winnebago County.
- (6) **DEFINITIONS.** For the purpose of this ordinance, certain words or phrases used herein are defined as follows:
- (a) Access - A recognized point of vehicular entry on to a highway where evidence of use has been clearly established.
- (b) Driveway - A point of access to a highway.
- (c) Highway - A County Trunk Highway as designated by Winnebago County pursuant to Sec. 83.025, Statutes (synonymous with County Road).





- (d) Local Road - A street or road, other than a County Trunk or Federal or State Highway, primarily for access to residence, business, or other abutting property.
- (e) Intersection - A place where two roads or a road and a highway intersect.
- (f) Winnebago County Highway Commission - The Winnebago County Highway Commissioner and his designees (herein after referred to as the "Commission").
- (7) PERMIT REQUIRED TO CONSTRUCT OR RECONSTRUCT DRIVEWAY.**
- (a) No entrance upon or departure from a County Trunk Highway within Winnebago County may be constructed or reconstructed without the person, firm or corporation seeking to construct or reconstruct the entrance or departure first obtaining a permit from the Commission. This shall include the blacktopping of existing driveways.
- (b) Applications for permits to construct entrances or departures from County Trunk Highways shall be obtained at the Winnebago County Highway Commission, 901 West County Road Y, Oshkosh, WI upon forms to be provided by the Commission.
- (c) The Commission shall approve or deny the permit in accordance with the standards of Sec. 7.14 (9) through (14) of this Ordinance.
- (d) An access permit shall expire 90 days from the date of issuance if evidence of use has not been established within that time.
- (e) When a violation of this ordinance occurs, the Commission may revoke any access permit or permits which are the subject of the violation.
- (f) An applicant may be required to submit sufficient information such as a scale drawing, engineering data, etc. as a condition for approval.
- (g) Permits shall be issued only in the name of the owner of the property upon which driveway construction or reconstruction is to occur.
- (h) A non-refundable charge shall be assessed by the Commission to those making application for the issuance of a permit for the construction or reconstruction of an entrance or departure upon a Winnebago County Trunk Highway. Said fee shall cover the cost of administration and inspection. A charge shall also be assessed for the removal of an illegally placed access. Fees shall be determined using the following schedule:
- |  |           |
|--|-----------|
| 1. Local Road (as defined in Sec. 7.14(6)(d)) Access:  | \$600.00  |
| 2. All other accesses  |           |
| No culvert required  | \$150.00  |
| Culvert required   | \$350.00  |
| 3. Blacktopping of access  | \$ 50.00  |
| 4. Permits applied for subsequent To installation of access in<br>Non-compliance with this ordinance | \$ 800.00 |
| 5. Permits applied for subsequent<br>To blacktopping of access                                       | \$150.00  |

6. Removal of illegally placed driveway	Actual Cost
7. Highway Department to perform work in Right-of-way for the property owner	\$350.00

- (i) The Highway Department shall be authorized to remove all objects and obstructions from the right-of-way adjacent to existing driveway approaches that have not been previously authorized by a Winnebago County Highway Department permit.
- (8) RIGHT OF ACCESS FOR PARCELS EXISTING PRIOR TO ENACTMENT.** Each existing parcel of land abutting a Winnebago County Trunk Highway at the time of enactment of this Ordinance shall be entitled to one (1) access to when in compliance with the provisions of this Ordinance. Whenever possible access shall be granted on local roads instead of County Trunk Highway when there is a choice between the two types of roads. Newly created lots shall be allowed an access as shown on a recorded Certified Survey Map.
- (9) LOCATION, DESIGN AND CONSTRUCTION REQUIREMENTS.** The location, design and construction of an entrance upon or departure from a County Trunk Highway shall be in accordance with the following policies and limits, which in no case shall be exceeded unless specific written authorization is obtained from the Commission:
- (a)** A driveway shall have a minimum top width of twenty (20) feet and a maximum driveway top width of thirty-five (35) feet. The entire driveway roadway and its appurtenances shall be contained within the frontage along the highway of the property served.
  - (b)** All driveways shall be constructed so as to ingress and egress the County Trunk Highway at an angle of ninety (90) degrees to the County Trunk Highway, unless otherwise approved by the Commission.
  - (c)** A driveway shall not provide direct ingress or egress to or from a County Trunk Highway intersection.
  - (d)** All driveways shall be constructed of solid load bearing material. The top surface of the driveway shall consist of at least six inches of gravel upon the traveled portion.
  - (e)** The surface of the driveway connecting with the highway section shall slope down and away from the highway shoulder a sufficient amount and distance to preclude ordinary surface water drainage flowing from the driveway area onto the highway roadbed.
  - (f)** No concrete approaches or aprons shall be permitted within the highway right of way except in curb and gutter areas.
  - (g)** Driveways shall not obstruct or impair drainage in highway side ditches or roadside areas. A culvert shall consist of a corrugated metal culvert pipe with apron end walls. The culvert length shall be determined by the Commission. The culvert and apron end walls shall be furnished by the property owner. Culverts shall be set by the Winnebago County Highway Department. Culverts shall be installed at least ten (10) feet from the owner's property line, unless otherwise approved by the Highway Commission.

- (h) All driveways shall be constructed or reconstructed to have sloped sides. Such construction shall be accomplished using only soil materials. The side slopes of the driveway shall be sloped no more than a length-to-height grade ration of 2:1. All slopes shall be seeded or sodded by the property owner.
- (i) The restricted area between successive driveways may be filled in or graded down only if the following requirements are fully complied with:
1. The filling in or grading down shall be to grades approved by the Highway Commission except where highway drainage is by means of curb and gutter, in which case water drainage of the area shall be directed away from the highway roadbed in a manner approved by the Highway Commission.
  2. Culvert extensions under the restricted area shall be of like size and equivalent acceptable material as the driveway culvert. Intermediate manholes adequate for cleanout purposes may be required as deemed necessary by the Highway Commission dependent upon the total culvert length.
- (j) The Winnebago County Highway Commission, may impose any other requirements deemed necessary with regard to the construction of any driveway so as to promote the safe and efficient ingress and egress to the County Trunk Highway and to protect the public investment in the highway.
- (10) SPACING AND FREQUENCY.** No owners or occupants of parcels of land created after enactment of this Ordinance will have the right or easement of access by reason of the fact that their property abuts a County Trunk Highway unless the following criteria are complied with:
- (a) Horizontal distances between access points shall not be less than 600 feet, with the exception of County Trunk Highway "CB" wherein the distance shall not be less than 1,000 feet. An intersection shall be considered an access point.
  - (b) A maximum of eight access points per side per mile shall be permitted. Measurement shall be taken 1/2 mile in each direction from the proposed access point.
  - (c) Where an urbanized section of a County Trunk Highway has a majority of adjacent property located within a city's jurisdiction and has a speed limit of 35 mph or less, the spacing and frequency of access points shall be determined by the Commission.
  - (d) The design of driveway or street intersections for appropriate sight distance, return radius, angle, profile, width, parking and internal circulation shall be based on standards approved by the Commission in accordance with adopted engineering practices.
- (11) EXISTING POINTS OF ACCESS.** All existing points of access may be continued after the adoption of these regulations. However, if the Commission believes that the use of an access has been discontinued for a period of at least one year, the Commission must notify the owner by certified mail that it is considering vacating the access and the Commission must allow the owner the opportunity to reply to the Commission within thirty (30) days. If, after giving the owner this opportunity to reply, the Commission decides that the access has been abandoned for one year, the Commission may require that access be vacated. If so determined, it is illegal to use that access point thereafter. The Commission may require modifications of existing access so it will conform to the standards as provided in Sec. 7.14(10) of this Ordinance.

- (12) CHANGE OF USE.** This Commission shall determine if there has been a change in use which will affect safe and efficient ingress and egress to, and use of a County Trunk Highway. This determination shall be based primarily on a significant change in the volume of traffic, or the type of vehicle using that point of access. Upon such determination, the Commission may require modifications to the access to meet standards of Sec. 7.14(10) of this Ordinance or it may revoke the access unless otherwise provided herein.
- (13) VARIANCES.** Any person or any office or department aggrieved by an order, requirement or interpretation made by the Commission may request a review of that order, requirement or interpretation before the Winnebago County Board of Adjustment. Requests for variances shall be filed with the Winnebago County Zoning Department within 30 days of notification. A fee shall be paid at the time of filing pursuant to Section 17.02(12) of General Code of Winnebago County.
- (a)** If the Board of Adjustment finds that practical difficulty and unnecessary hardship may result from strict compliance with the Ordinance, it may vary the regulation so that substantial justice may be done provided that the public interest is secured and that such variance will not have the effect of nullifying the intent and purpose of this Ordinance.
- (b)** In granting variances, the Board of Adjustment shall request evidence of practical difficulty and hardship and record the reasons in the minutes of which the variance was granted or denied.
- (14) WETLAND ORDINANCES CONTROLLING.** Any wetland ordinances enacted by Winnebago County shall take precedence over any conflict arising between such wetland ordinances and this ordinance.
- (15) VIOLATIONS AND PENALTIES.**
- (a)** Any person, firm or corporation violating any provisions of this section of the Code, shall, upon adjudication of guilt as to such violation, be subject to a penalty of not less than \$5 nor more than \$100 for each violation and incarceration of up to six months in the county jail. In addition, the County shall be entitled to injunctive relief and costs against any party violating this Ordinance.
- (b)** Employees of the Winnebago County Highway Department are hereby authorized to issue citations for violation of this Ordinance.
- (16) EFFECTIVE DATE.** This Ordinance shall become effective upon the date of its publication.

## **7.15 POLICY AS TO INSTALLATION OF ENGINE BRAKING SIGNS ON WINNEBAGO COUNTY TRUNK HIGHWAYS.**

- (1)** This Ordinance is adopted pursuant to that authority provided in Wisconsin Administrative Code Chapter [TRANS 405](#).
- (2)** Winnebago County shall only permit the installation of a sign providing for no engine braking on a county trunk highway if subsequent to the following criteria being satisfied:
- (a)** That a local unit of government may only request a “no engine braking” sign on a county trunk highway if that local unit of government has adopted a local noise ordinance pursuant to the noise parameters provided in Wisconsin Administrative Code Chapter [TRANS 405](#).
- (b)** That the local unit of government must first submit a written request to the Winnebago County Highway Commissioner for a permit to install and maintain the signs. Such a request must contain the following information:

1. Where the sign is proposed to be located (highway/location);
  2. The direction of traffic in which the sign shall face;
  3. The sign offset (distance from edge of right-of-way to travel lane);
  4. The type of post requested to be used;
  5. Written assurance from the local unit of government that the sign will be free-standing (not attached to other signs);
  6. A written copy of the local government noise ordinance.
- (3) Upon submission of such a request, the Winnebago County Highway Commissioner shall issue a permit for the installation of such a sign within thirty (30) days of submission of said application or shall issue a written denial of said application stating the reasons for the denial of such a permit.
  - (4) Upon issuance of a permit, the local unit of government shall be responsible for installing and maintaining the sign in conformance with the permit. The local unit of government may contract with the Winnebago County Highway Department for the construction, installation, and maintenance of such a sign.
  - (5) It shall be the responsibility of the local unit of government to enforce its own noise ordinances in relationship to the “no engine braking” sign.
  - (6) A standard sign, reading “No Engine Braking Except in Emergency,” may be permitted at or near the corporate limits of a local community. The preferred location for placement of such a sign must be in the proximity of any signage notifying drivers of reduced speed ahead, but shall not be within 200 feet of any existing highway signage.
  - (7) An optional sign stating “No Engine Braking Except in Emergency Within City/Village/Town Limits” may be permitted by the Highway Commissioner to supplement other signs if there are perceived problems with enforcement of engine braking on roadways throughout a community. All sign language shall meet the requirements of the Wisconsin Department of Transportation.
  - (8) All other engine braking signs previously installed on Winnebago County Trunk Highways shall be amended to conform to this Ordinance no later than January 1, 2012, or shall be removed.
  - (9) This Ordinance shall be in effect as of June 1, 2011.

#### **7.16 ALL-TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE ROUTES AND REGULATIONS.**

- (1) The Winnebago County Board of Supervisors adopts the following All- Terrain Vehicle/Utility Terrain Vehicle (“ATV/UTV”) Routes and Regulations Ordinance for the operation of ATVs/UTVs upon certain Winnebago County roadways, subject to the conditions listed in Section 4, below.
- (2) **PURPOSE & INTENT:** Following due consideration of the recreational value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved and traffic density, these routes have been created.



- (3) AUTHORITY:** The provisions of this Ordinance are adopted by the Winnebago County Board of Supervisors pursuant to the authority granted in [§23.33\(8\)\(b\)](#), Wis. Stats. Operators shall follow all of the applicable provisions of [§23.33](#), Wis. Stats, regulating ATV/UTV operations.
- (4) CONDITIONS:** As a condition for the use of certain roadways, the following conditions shall apply to all operators (and passengers where applicable):
- (a)** ATV/UTV operators shall observe all posted speed limits and shall not exceed 35 miles per hour. Violators shall be subject to enforcement.
  - (b)** Routes must be signed in accordance with [NR 64.12 and NR 64.12\(7\)c](#), Wisconsin Administrative Code.
  - (c)** Limit routes to county roadways with an Average Daily Traffic (ADT) count of 1,000 or less and a low accident history.
  - (d)** Potential county highway routes must connect existing routes / trails only.
  - (e)** Municipalities with an ATV/UTV ordinance sponsor county routes.
  - (f)** Municipalities request routes by sending a letter describing the roadway(s) and the limits to the Highway Commissioner for conformance with the county ordinance. Highway Committee will approve / deny requests.
  - (g)** Sponsoring municipalities pay for sign installation and maintenance.
  - (h)** Municipalities shall maintain a map of routes within their jurisdiction and provide copies to the Highway Commissioner and Sheriff.
  - (i)** Highway Department shall install signs to ensure proper placement according to MUTCD (Manual for Uniform Traffic Control Devices) and DNR (Department of Natural Resources) standards.
  - (j)** ATV/UTV operators must possess a valid motor vehicle driver's license.
  - (k)** Routes shall remain open during daylight hours only.
  - (l)** Routes may be closed or suspended by the Highway Commissioner after review with the Highway Committee for reasons such as repeated complaints from residents, damage caused by ATV/UTVs, an increase in ADT, or roadway accidents.
  - (m)** Routes may be temporarily closed by either the Highway Commissioner or Sheriff for reasons such as roadway construction, emergencies, parades, or events.
- (5) ENFORCEMENT:** This Ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.
- (6) PENALTIES:** All-Terrain Vehicle / Utility Terrain Vehicle penalties for the State of Wisconsin, as found in [§23.33\(13\)\(a\)](#), Wis. Stats, are adopted and incorporated herein by reference. Additionally, any person who violates any provision of Section 7.16(4) Conditions, above, shall be subject to a forfeiture of \$50.00 plus any statutory surcharges imposed by the State Legislature.



- (7) **SEVERABILITY:** The provision of this Ordinance shall be deemed severable and it is expressly declared that Winnebago County would have passed the other provisions of this Ordinance regardless of whether or not one or more provisions may be declared invalid. If any provision of this Ordinance or the application to any individual or circumstance is held invalid, the remainder of the Ordinance and the application of such provisions to other individual circumstances shall not be deemed affected.
- (8) **EFFECTIVE DATE:** This Ordinance becomes effective as of the date following the date of its publication.

**7.340.01 to 7.941.03 STATE TRAFFIC LAWS ADOPTED.** The statutory provisions following the prefix "7" describing and defining regulations with respect to vehicles and traffic in the following enumerated sections of the Wisconsin Statutes, exclusive of any provisions therein relating to the penalties to be imposed or the punishment for violation of such statutes, are hereby adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this chapter.

7.340.01, 7.341.01, 7.342.01, 7.343.01, 7.344.01, 7.346.01, 7.347.01, 7.348.01.	Words and Phrases Denied
7.341.04	Operating Unregistered or Improperly Registered Vehicle
7.341.045	Use of Registered Farm Trucks
7.341.05	When Vehicle Exempt From Registration
7.341.06	Certain Vehicles to be Registered by Resident Lessee
7.341.07	Application for Registration
7.341.11(4)	Display of Registration Certificate
7.341.15	Display of Registration Plates
7.341.16(2)	Surrender of Illegible Plates
7.341.42	Reciprocity Permits
7.341.51	Registration of Dealer, Distributor, Manufacturer, or Transporter
7.341.55	Misuse of Plates

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7.341.61	Improper Use of Evidence of Registration
7.341.62	False Evidence of Registration
7.341.63(3)	Surrender of Plates Upon Suspension
7.342.05	Certificate of Title Required
7.342.06	Application for Certificate of Title
7.342.15	Transfer of Interest in Vehicle
7.342.16	Transfer to or from Dealer
7.342.30(2) and (3)	Assignment and Stamping of New Identification Numbers
7.342.31(2)	Report of Stolen or Abandoned Vehicle
7.342.33	Sale of Vehicle Used as a Taxicab
7.342.34	Destruction of Vehicles
7.343.10	Occupational Licenses
7.343.12	School Bus Operators to Obtain Special License
7.343.125	Chauffeurs to Obtain Special License
7.343.18	License to be Carried
7.343.19	Duplicate License
7.343.22	Notice of Change of Address



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7.343.305	Implied Consent
7.343.35	Surrender of License Upon Revocation, Cancellation, or Suspension
7.343.45	Permitting Unauthorized Persons to Drive
7.343.46	Renting Vehicles
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7.344.46	Transfer of Ownership to Defeat Financial Responsibility
7.344.47	Operating Vehicle After Suspension or Revocation of Registration
7.344.51 & 7.344.52	Financial Responsibility for Rented Vehicles
7.345.55	Traffic Officers Not to Profit from Arrests
7.346.02	Applicability of Chapter 346
7.346.03	Authorized Emergency Vehicle
7.346.04 (1) and (2)	Obedience to Traffic Officer, Signs, and Signals
7.346.05	Vehicles to be Driven on Right Side of Roadway
7.346.06	Meeting of Vehicles
7.346.07	Overtaking and Passing on Left
7.346.075	Overtaking and Passing Bicycles
7.346.08	When Overtaking and Passing on Right Permitted

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7.346.09	Limitations on Overtaking on Left or Driving on Left Side of Roadway
7.346.10	When Passing at Railroad Crossing or Intersection Prohibited
7.346.11	Passing or Meeting Frightened Animal
7.346.12	Driving Through Safety Zones Prohibited
7.346.13	Driving on Roadways Laned for Traffic
7.346.14	Distance Between Vehicles
7.346.15	Driving on Divided Highway
7.346.16	Use of Controlled Access Highways, Expressways, and Freeways
7.346.18	General Rules of Right-of-Way
7.346.19	What to do on Approach of Emergency Vehicles
7.346.20	Right-of-Way of Funeral Processions and Military Convoys
7.346.21	Right-of-Way of Livestock
7.346.23	Crossing Controlled Intersection of Crosswalk
7.346.24	Crossing Uncontrolled Intersection or Crosswalk
7.346.25	Crossing at Place Other Than Crosswalk
7.346.26	Blind Pedestrians on Highway
7.346.27	Persons Working on Highway

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7.346.28	Pedestrians to Walk on Left Side of Highway; Pedestrians on Sidewalks
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7.346.505	Stopping, Standing, or Parking Prohibited in Places Reserved for Handicapped
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7.346.57(4)(d) - (h)	Fixed Speed Limits
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7.346.58	Special Speed Restrictions for Certain Vehicles
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**APPENDIX "A"****METRO ADDRESSING AREAS (LEGAL DESCRIPTIONS)****CITY OF OSHKOSH METRO ADDRESSING AREA**

All those lands within the Towns of Oshkosh, Algoma, Nekimi, and Black Wolf, and the City of Oshkosh which lie within the following: commencing at the intersection of the easterly extension of LONE ELM AVE. and the shore of LAKE WINNEBAGO, the point of beginning, thence west along the easterly extension of LONE ELM AVE. and LONE ELM AVE. to its intersection with COUNTRY CLUB RD., thence north along COUNTRY CLUB RD. to its intersection with FISK AVE., thence west along FISK AVE. to its intersection with CLAIRVILLE RD., thence north along CLAIRVILLE RD. to its intersection with CO. RD. E, thence west along CO. RD. E to its intersection with the western boundary of the Town of Algoma, thence north along the western boundary of the Town of Algoma to its intersection with the western boundary of the Town of Oshkosh, thence continuing north along the western boundary of the Town of Oshkosh and its northerly extension to its intersection with STATE ROAD 110, thence easterly along STATE ROAD 110 to its intersection with BROOKS RD., thence continuing east along BROOKS RD. and its easterly extension to its intersection with INDIAN POINT RD., thence continuing east along INDIAN POINT RD. and its easterly extension to its intersection with LAKE WINNEBAGO, thence southerly along the shore of LAKE WINNEBAGO to the point of beginning, excepting those lands with addresses accessing the sections of LONE ELM AVE., FISK AVE., CLAIRVILLE RD., CO. RD. E, STATE ROAD 110, BROOKS RD., and INDIAN POINT RD. described in said boundary.

**CITY OF OMRO METRO ADDRESSING AREA**

All those lands within the Town of Omro and the City of Omro which lie within the following: commencing at the intersection of CO. RD. E and HEISE RD., the point of beginning, thence west along CO. RD. E to its intersection with 2ND ST. RD., thence north along 2ND ST. RD. and its northerly extension to its intersection with BRODRICK RD., thence continuing north along BRODRICK RD. to its intersection with the westerly extension of YOUNG RD., thence east along westerly extension of YOUNG RD., YOUNG RD. itself, and its easterly extension to its intersection with the centerline of the FOX RIVER, thence northeasterly along the centerline of the FOX RIVER to its intersection with an east-west line extending from the northern most limits of KRENZ RD., thence east along said east-west line to its intersection with RIVERMOOR RD., thence southerly along RIVERMOOR RD. and its southerly extension to the point of beginning, excepting those lands with addresses accessing the sections of roads described in said boundary.

**VILLAGE OF WINNECONNE METRO ADDRESSING AREA**

All those lands within the Town of Winneconne and the Village of Winneconne which lie within the following: commencing at the intersection of CO. RD. M and the easterly extension of the northern boundary of the Village of Winneconne, the point of beginning, thence west along the easterly extension of the northern boundary of the Village of Winneconne to the northeastern corner of the Village of Winneconne, thence continuing west, south, and then northwesterly along the northern boundary of the Village of Winneconne to a point on LAKE SHORE RD., being the northwestern corner of the Village of Winneconne, thence due south along a line to its intersection with the north line of the SE1/4 of the SE1/4, SEC. 17, T19N, R15E, thence west to the NW corner of the SE1/4 of the SE1/4, of said SEC. 17, thence south along the west line of the SE1/4 of the SE1/4, of said SEC. 17 and the west line of the NE1/4 of the NE1/4, SEC. 20, T19N, R15E, to its intersection with STATE ROAD 116, thence southwestwardly and southerly along STATE ROAD 116 to its intersection with CO. RD. D, thence east along the easterly extension of CO. RD. D to its intersection with the eastern bank of the WOLF RIVER, thence southeasterly along the shore of the WOLF RIVER and northeasterly along the shore of LAKE BUTTE DES MORTS to its intersection with the southerly extension of the north- south portion of COURTNEY PLUMMER RD., thence north along the southerly extension of COURTNEY PLUMMER RD. and the north-south portion of COURTNEY PLUMMER RD. to its intersection with CO. RD. M, thence continuing north along CO. RD. M to the point of beginning, excepting those lands with addresses accessing the sections of roads described in said boundary.

**CITY OF NEENAH METRO ADDRESSING AREA**

All those lands within the Town of Neenah and the City of Neenah which lie within the following: commencing at the intersection of the southern boundary of the Town of Neenah and the shore of LAKE WINNEBAGO, the point of beginning, thence west along the southern boundary of the Town of Neenah to its intersection with NEE-VIN RD., thence continuing west along NEE-VIN RD. and its westerly extension to its intersection with WOODEN SHOE RD., thence north along WOODEN SHOE RD. and the northerly extension of WOODEN SHOE RD. to its intersection with S. CLAYTON AVE., thence continuing north along S. CLAYTON AVE. to its intersection with STATE ROAD 150, thence east along STATE ROAD 150 to its intersection with the N1/4 corner of SEC. 20, T20N, R17E, thence south along the west line of the NE1/4 of said SEC. 20 to its intersection with CO. RD. O, thence east along CO. RD. O to its intersection with U.S.

HWY. 41, also being part of the northern boundary of the City of Neenah, thence continuing in an easterly direction along the northern boundary of the City of Neenah to the shore of LAKE WINNEBAGO, thence southerly along the shore of LAKE WINNEBAGO to the point of beginning, excepting those lands with addresses accessing the sections of NEE-VIN RD., WOODEN SHOE RD., and S. CLAYTON AVE. described in said boundary.

**CITIES OF MENASHA & APPLETON AND TOWN OF MENASHA-EAST METRO ADDRESSING AREA**

All those lands within the Town of Menasha, City of Menasha, and City of Appleton which lie within the following: commencing at the intersection of U.S. HWY 10 (ONEIDA RD.) and the northern boundary of the Town of Menasha, the point of beginning, thence west along the northern boundary of the Town of Menasha to its intersection with the eastern shore of LITTLE LAKE BUTTE DES MORTS, thence south along the eastern shore of LITTLE LAKE BUTTE DES MORTS to its intersection with the southern boundary of the City of Menasha, thence easterly along southern boundary of the City of Menasha to its intersection with the shore of LAKE WINNEBAGO, thence northeasterly along the shore of LAKE WINNEBAGO to its intersection with the southerly extension of U.S. HWY. 10 (ONEIDA RD.), thence north along the southerly extension of U.S. HWY 10 (ONEIDA RD.) and U.S. HWY 10 (ONEIDA RD.) to the point of beginning.

**TOWN OF MENASHA-WEST METRO ADDRESSING AREA**

All those lands within the Town of Menasha which lie within the following: commencing at the intersection of the easterly extension of CO. RD. BB and the western shore of LITTLE LAKE BUTTE DES MORTS, the point of beginning, thence west along the easterly extension of CO. RD. BB and CO. RD. BB to its intersection with N. CLAYTON AVE., thence south along N. CLAYTON AVE. to its intersection with STATE ROAD 150, thence east along STATE ROAD 150 to its intersection with the N1/4 corner of SEC. 20, T20N, R17E, thence south along the west line of the NE1/4 of said SEC. 20 to its intersection with CO. RD. O, thence east along CO. RD. O to its intersection with U.S. HWY. 41, also being part of the northern boundary of the City of Neenah, thence continuing in an easterly direction along the northern boundary of the City of Neenah to its intersection with the western shore of LITTLE LAKE BUTTE DES MORTS, thence northerly along the western shore of LITTLE LAKE BUTTE DES MORTS to the point of beginning, excepting those lands with addresses accessing the section of N. CLAYTON AVE. described in said boundary.

**APPENDIX “B”**

***(Repealed: 1/23/2001)***

**7.04 COUNTY TRUNK HIGHWAY CONTROLLED ACCESS.**

**(1) AUTHORITY.** These regulations are adopted under the authority granted by § 83.027, Wis Stats., and pursuant to § 83.07 and 83.08, Wis Stats.

- (2) PURPOSE AND INTENT.** The purpose of these regulations is to promote the safe and efficient ingress and egress to certain County trunk highways in the interest of public safety, convenience and general welfare; to protect the public investment in highways by preventing premature functional obsolescence; to reduce highway accidents caused by frequent and poorly designed points of access; to promote the balanced use of land for the mutual protection of landowners, motorists and Winnebago County; and to enhance the highway appearance for making highway travel more pleasant.
- (3) SEVERABILITY.** If any section, provision or portion of these regulations is adjudged invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.
- (4) TITLE.** This ordinance shall be numbered as Sec. 7.04, Winnebago County Code of General Ordinances and shall be known as "COUNTY TRUNK HIGHWAY CONTROLLED ACCESS, Winnebago County, Wisconsin".
- (5) JURISDICTION.**
- (a)** These regulations shall apply to the following County Trunk Highways in Winnebago County:
1. CTH "A" from Oshkosh city limits to Neenah city limits.
  2. CTH "CB" from CTH "JJ" to Outagamie County line (1,000 ft. spacing between access points)
  3. CTH "E" from Clairville Road to Grams Road excluding that portion between Quarry Drive to River Road in the Town of Rushford.
  4. CTH "G" from CTH "M" to CTH "A".
  5. CTH "GG" from USH 45 to STH 110
  6. CTH "I" from CTH "Z" to Oshkosh city limits
  7. CTH "II" from USH 45 to the northbound on-ramp of USH 41.
  8. CTH "JJ" from USH 45 to Pendleton Road.
  9. CTH "M" from STH 116 to CTH "G".
  10. CTH "N" from STH 26 to CTH "I".
  11. CTH "W" from STH 110 to Outagamie County line.
- (b)** The following County Highways form the boundary with other counties and, as a consequence, this ordinance shall apply only to those areas within Winnebago County.
1. CTH "BB" from STH "45" to Cold Spring Road
- (c)** Any changes in the listed highways in subsection (a) or (b) shall require County Board approval.
- (6) COMPLIANCE WITH ORDINANCES, REGULATIONS AND PLANS.**
- (a)** Any person, firm or corporation seeking access to lands abutting the County Trunk Highways in Sec. 7.04 (5) of this Ordinance shall comply with the requirements of these regulations and the following:

1. Applicable County ordinances and regulations.
2. Master plans or master plan components adopted by Winnebago County.
3. The official map of any municipality or governmental unit having jurisdiction.

**(7) CONTROLLED ACCESS RESTRICTIONS.**

- (a) No entrance upon or departure from the County Trunk Highways designated as controlled-access highways in this ordinance shall be permitted except at places specially designated and provided for such purposes.
- (b) No public street, highway, private access point, agricultural access, or recreational access may be opened into or connected with a controlled access highway under this ordinance without review and approval of the County Highway Commission, hereinafter called Commission. Such approval shall be given only if the public interest is served and shall specify the terms and conditions on which such approval is given.
- (c) In the interest of public health, safety and general welfare, the Commission may at any time revoke this approval or require modification in the access. The permit granted by the Commission shall be for private access, recreational access, or agricultural access only and this permit cannot be transferred between those different uses. A new permit must be approved if a use changes or if another use is added.
- (d) To ensure orderly development no County sanitary and zoning permits may be issued or certified survey maps approved until an access control permit where required is issued by the Commission.

**(8) VACATION OF ACCESS CONTROL.** A controlled-access highway shall remain such until the access control is revoked by the order of the Winnebago County Board. The Winnebago County Board may revoke access control on a County Trunk Highway or part thereof, provided that after a traffic engineering survey and a public hearing, the Winnebago County Board finds that the revocation on such highway or part thereof is in the public interest.

**(9) ADDITION OF ACCESS CONTROL.** The Winnebago County Board may invoke access control on additional County Trunk Highways or parts thereof, pursuant to Sec. 83.027 Wis. Stats. only after a traffic engineering survey and a public hearing.

**(10) EXISTING POINTS OF ACCESS.** All existing points of access may be continued after the adoption of these regulations. However, if the Commission believes that the use of an access has been discontinued for a period of at least one year, the Commission must notify the owner by certified mail that it is considering vacating the access and the Commission must allow the owner the opportunity to reply to the Commission within thirty (30) days. If, after giving the owner the opportunity to reply, the Commission decides that the access has been abandoned for one year, the Commission may require that access be vacated. If so determined, it is illegal to use this access point thereafter. The Commission may require modifications of existing access so it will conform to the standards as provided in Sec. 7.04 (12) of this Ordinance.

**(11) CHANGE OF USE.** The Commission shall determine if there has been a change in use which will affect safe and efficient ingress and egress to, and use of, a controlled access highway. This determination shall be based primarily on a significant change in the volume of traffic or the type of vehicle using that point of access. Upon such determination, the Commission may require modifications to the access to meet the standards of Sec. 7.04 (12) of this Ordinance or it may revoke the access unless otherwise provided herein.



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**(12) SPACING AND FREQUENCY.**

(a) After the designation of a controlled-access highway, no owners or occupants of the parcels of land created after enactment of the Ordinance will have the right to easement of access by reason of the fact that their property abuts the controlled access highway unless the following criteria are complied with:

1. Horizontal distances between access points on a controlled access highway shall not be less than 600 feet.
2. A maximum of eight access points per side per mile of highway shall be permitted.
3. The design of driveway or street intersections for appropriate sight distance, return radius, angle, profile, width, parking and internal circulation shall be based on standards approved by the Commission in accordance with adopted engineering practices.

**(13) RIGHT OF ACCESS.** Each existing parcel of land abutting a controlled-access highway at the time of enactment of this Ordinance shall be entitled to one (1) access when in compliance with the provisions of this Ordinance. But, whenever possible, access should be granted on minor roads instead of controlled access highways when there is a choice between the two types of roads.

**(14) APPLICATION AND REVIEW PROCEDURES.**

(a) The following are requirements to obtain access to a County controlled access highway:

2. Access control permit must be obtained from the Commission.
3. The Commission shall approve or deny the permit in accordance to the standards of Sec. 7.04 (12) of this ordinance.
4. An access permit shall expire one year from the date of issuance if evidence of use has not been established within that time.
5. When a violation of this ordinance occurs, the Commission may revoke any access permit or permits which are the subject of the violation.
6. Construction of all approved access points shall comply with County Highway Department Standards.
7. Applicant may be required to submit sufficient information such as a scale drawing or engineering data or whatever else is deemed necessary for approval.

**(15) VARIANCES.**

(a) Any person or any office or department aggrieved by an order, requirement or interpretation made by the Commission may request a review hearing before the Winnebago County Board of Adjustment according to the Rules of Procedures established by said Board of Adjustment.

(b) If the said Board of Adjustment finds that practical difficulty and unnecessary hardship may result from strict compliance with this ordinance, it may vary the regulations so that substantial justice may be done provided that the public interest is secured and that such variance will not have the effect of nullifying the intent and purpose of this Ordinance.

(c) In granting variances, the said Board of Adjustment shall request evidence of practical difficulty and hardship and record the reasons in the minutes of which the variance was granted.

**(16) FEES.**

(a) The applicant shall pay to Winnebago County a fee for each permit application as determined by the type of access:

1. Public Street or Highway Access    \$500.00
2. All Other Accesses, including Private, Agricultural and Recreational
 

No culvert required	\$ 50.00
Culvert required	\$175.00

**(17) ACCESS CONTROL MAPS.**

(a) The location of all points of access are hereby established as shown on the maps entitled "Controlled Access Maps" on file in the office of the Winnebago County Highway Department. The Commission shall periodically update the "Controlled Access Maps" to show any changes.

(b) The "Controlled Access Maps" together with all information shown thereon and all amendments thereto, shall be a part of these regulations.

**(18) VIOLATIONS AND PENALTIES.**

(a) Any person, firm or corporation violating any of the provisions of the section of the code shall, upon adjudication of guilt as to such violation, be subject to a penalty as provided in Sec. 25.04 of this code.

(b) It is a violation for any person to drive any vehicle into or from a controlled-access highway except through an opening provided for that purpose. The penalty for this violation is as provided in Sec. 83.027 (13) Wis. Stats.

**(19) DEFINITIONS.** (a) For the purpose of these regulations, certain words or phrases used herein are defined as follows:



## CHAPTER 7 HISTORY INDEX

7.01		Courthouse Parking Lot Regulations	Ordinance Adopted	3/15/77
			Ordinance Rescinded and Recreated	6/21/83
			Ordinance Rescinded and Recreated	7/15/86
	9	(a)(1)	Amended	1/26/99
7.02		Speed Limits	Ordinance Amended	6/19/98
			Ordinance Amended	5/18/04
(1)	(a)	1.	Ordinance rescinded & Recreated	10/08/85
			Amended	10/22/85
			Amended	12/19/95
		2.	Ordinance adopted	4/17/79
		3.	Ordinance amended	1/15/91
(2)	(a)	1.	Ordinance adopted	5/27/58
(3)	(a)	1.	Ordinance adopted	9/17/69
			Amended	1/17/94
		2.	Ordinance adopted	1/19/71
(4)			Amended	10/16/2007
	(a)	1.	Ordinance adopted	1/18/72
			Amended	8/16/94
			Amended	11/16/99
(5)			Amended	9/20/2005
			Amended	10/16/2007
	(a)	1.	Ordinance adopted	11/6/78
		2.	Ordinance adopted	11/6/78
	(b)	1.	Ordinance adopted	5/19/66
	(c)		Ordinance created	7/23/95
(6)			Amended	10/16/2007
	(a)	1.	Ordinance adopted	11/6/78
			Rescinded & Recreated	10/22/90
		2.	Ordinance adopted	11/7/78
(7)	(b)	1.	Ordinance adopted	7/8/72
			Amended	10/16/2007
	(a)	1.	Ordinance adopted	3/17/70
(8)			Amended	10/16/2007
	(a)	1.	Ordinance adopted	
	(b)	1.	Ordinance adopted 9/3/63	
(9)			Amended	16/2007
	(a)	1.	Ordinance adopted	8/19/69

		Amended	11/16/99
		Amended	10/21/08
	(b)	Amended	4/23/02
(10)		Amended	10/16/2007
	(a)	1. Ordinance adopted	10/31/77
		2. Ordinance adopted	10/31/77
	(b)	1. Ordinance adopted	5/19/66
		2. Created and Ordinance adopted	9/13/83
(11)		Amended	10/16/2007
	(a)	1. Ordinance adopted	4/11/79
	(b)	1. Ordinance created	7/19/94
(12)		Amended	10/16/2007
	(a)	1. Ordinance adopted	6/23/70
		Amended	1/20/98
(13)		Amended	10/16/2007
	(a)	2. Ordinance adopted	2/20/73
		Amended	1/17/84
(14)	(a)	1. Newly adopted	10/17/2017
(15)		Renumbered from 7.02(14)	10/17/2017
		Amended	10/16/2007
	(a)	1. Ordinance adopted	1/18/72
		Amended	10/17/2017
		2. Ordinance adopted	1/18/72
(16)		Renumbered from 10/17/2017	7.02(15)
		Amended	10/16/2007
		Renumbered	10/17/2017
	(a)	1. Ordinance adopted	10/27/53
		2. Ordinance created	9/23/97
		(15) Ordinance adopted	12/21/99
		(16) Ordinance Number amended	12/21/99
	(b)	1. Ordinance adopted	9/14/72
(17)		Renumbered from 7.02(16)	10/17/2017
		Amended	10/16/2007
(18)		Renumbered from 7.02(17)	10/17/2017
		Amended	10/16/2007
(19)		Renumbered from 7.02(18)	10/17/2017
(20)		Renumbered from 7.02(19)	10/17/2017
7.03		Licensing Hayrack & Sleigh Rides	Ordinance Adopted 12/16/86
7.04		County Truck Highway Controlled Access	Ordinance Adopted 11/17/87
		Repealed (See Appendix B)	1/23/01
	(5) (a)	Amended	2/24/98
	(a) (14)	Amended	10/11/94
	(16)	Amended	8/20/96
7.05		Driveway Permits	Ordinance Adopted 10/22/90



	Upon Winnebago County Trunk Highways	Repealed	6/15/10
	(5)	Amended	2/15/00
	(6)	Amended	8/20/96
7.06	Uniform Addressing System	Ordinance Adopted	6/15/93
7.10	Utility Permits Upon Winnebago County Trunk Highways Created	Ordinance Adopted	10/26/92
7.11	Permit for Operation of Oversize Vehicles Upon County Trunk Highways	Ordinance Adopted	10/26/92
	(6)(a)	Amended	5/18/10
	(b)	Amended	5/18/10
	(7)	Amended	8/20/96
	8(a)	Amended	5/18/10
7.12	Penalty	Amended	
7.13	Enforcement	Amended	
7.14	Driveway Access to County Trunk Highways	Ordinance Adopted	6/20/00
	(1)	Amended	10/24/00
		Amended	6/15/10
	(2)	Amended	1/23/01
	(7)(h)	Amended	12/17/02
		Amended	5/18/10
	(i)	Created	6/15/10
	(9)(h)	Amended	6/15/10
	(13)	Amended	6/15/10
7.15		Created and Adopted	4/19/11
7.340 to	7.941.03	State Traffic Laws Adopted	Wis. Stats.