

ORDINANCE NO. 2023-8

**AN ORDINANCE CREATING SECTION 11.20.050 OF THE
MUNICIPAL CODE OF THE VILLAGE OF KOHLER, SHEBOYGAN COUNTY,
WISCONSIN, RESIDENTIAL PARKING PERMIT SYSTEM**

WHEREAS, it is hereby declared necessary, in the interest of student safety and the residents of the Village of Kohler, to establish a residential parking permit system in accord with Wis. Stats. § 349.13(1g), whereby motor vehicles bearing a valid residential parking permit may be parked on specifically designated Village streets within a specified zone or zones in excess of the time limits. It is intended that this article shall assist in alleviating traffic congestion, illegal parking and related health and safety hazards in the zones established pursuant hereto. The acquisition of a permit under this article confers no rights upon the holder. It is merely a privilege that is subject to revocation at the pleasure of the Village.

WHEREAS, pursuant to Wis. Stat. § 61.34 the Village Board has determined that it is necessary to establish a permitted parking zone to promote the safety of children, general welfare, peace, good order, and prosperity of the Village and its inhabitants.

NOW, THEREFORE, the Village Board of the Village of Kohler does ordain as follows:

Section 1. **Creating Code.** Section 11.20.050 of the Municipal Code is hereby created to read as follows:

"11.22.050 Residential parking permit designation.

- A. Residential parking permits may be issued to residents abutting the following streets:
1. School Street between West Park Lane and one-half block east of Church Street.
 2. Church Street between Upper Road and Grafton Court.
 3. Orchard Road between Orchard Court and Church Street.
 4. Orchard Court between Upper Road and Orchard Road.
- B. Eligibility for residents parking permits. Residents of the above-designated streets shall be deemed to be eligible to be issued residential parking permits as determined by this article. No more than four (4) permits shall be issued for each single-family residence.
- C. Implementation of system. For each street provided in section A. above, this article shall be in effect on days school is in session between the hours of 7:30 a.m. to 8:30 a.m. and 2:30 p.m. to 3:30 p.m., except those persons parking for library use as allowed by Section 11.20.040 of this Code. Parking on the affected streets shall be limited to those motor vehicles displaying valid residential parking permits during the stated hours each day. Parking without a valid residential parking permit during these times is prohibited.

- D. Term and form of permit. Each permit shall be valid indefinitely unless it becomes void as provided herein. Permits shall automatically be void if the owner or operator of the motor vehicle in question removes his or her place of residence to an area of the Village which is not contained within the designated zone for which it was issued or outside the Village. Each permit shall be displayed on the lower passenger side of the windshield so as to be clearly visible through the windshield of the motor vehicle to which it applies. In the case of a motorcycle, a permit shall be displayed as directed by the Police Chief.
- E. Guests or invitees of residents. Residents shall contact the Kohler Police Department when their guests are parked on the street during restricted hours. Commercial vehicles servicing residents on the streets designated in Section A. above, will be exempt.
- F. Parking permits
1. A residential parking permit is valid only when it is displayed on a motor vehicle parked along one of the residential streets subject to this article. Use of said parking permit shall be restricted to streets designated for residential parking permits within the specified streets. A residential parking permit shall not guarantee or reserve for the holder a parking space, whether on a given residential street or on any residential street within the area in question.
 2. A residential parking permit shall not authorize the holder to cause to stand or park a motor vehicle at such places where parking is prohibited or during such times as when the stopping, standing, or parking of motor vehicles is set aside for specified types of vehicles, nor exempt the holder from observance of any traffic regulation other than the specified hourly parking limit. Residential parking permits do not exempt holders from abandonment regulations, towing regulations, overnight parking restrictions or snow emergency regulations, and the privilege afforded by it may temporarily be suspended for emergency or construction purposes.
 3. When the permit expires or is revoked, as set forth in sections D or G of this article, the permit shall be removed from the motor vehicle in question by the owner or operator.
- G. Transferability; violations and revocation of residential parking permits.
1. Only motor vehicles registered to residents on the streets designated in section A., or as directed by the Police Chief, shall be eligible for exercise of the privileges afforded under a residential parking permit. Any transfer of such a permit without the permission of the Chief of Police to a motor vehicle other than the one originally issued the permit shall constitute a violation of this article. Transfers of permits shall be allowed automatically upon presentation of proof that the motor vehicle to which the permit applied has been abandoned, sold or otherwise

conveyed to a third person or is no longer operable, in which event the permit holder seeks its transfer to another, designated motor vehicle.

2. It shall constitute a violation of this article for any person to falsely represent himself or herself as eligible for a residential parking permit. Should any person to whom a permit has been issued change his or her address without removing the permit within seven (7) days of moving, it shall constitute a violation of this article.
3. The Chief of Police is authorized and directed to revoke the residential parking permit of any person found to be in violation of this article and, upon written notification of such revocation, the person in question shall remove his or her permit from the vehicle. Failure to remove a parking permit once revoked shall constitute a violation of this article as such that no similar permit shall be issued to that person or to the vehicle to which it applies for a period of 12 months of the date of its revocation.
4. It shall also be a violation of this article for any person to copy, reproduce or sell a permit.

H. Definitions. The following definitions shall control the interpretation and application of this article:

BLOCK

Both sides of a street between two intersecting streets.

DWELLING UNIT

One or more rooms which are arranged, designed or used as a living quarter for one family only. Individual bathrooms and complete kitchen facilities are always associated with a dwelling unit.

MOTOR VEHICLE

A vehicle, which is self-propelled, including but not limited to automobiles, trucks and motorcycles, and which is registered for and eligible to travel on the streets and highways of the State of Wisconsin.

RESIDENCE

A dwelling place, house, apartment, room or other place of accommodation, which constitutes the true, fixed, permanent place of abode or home to which a resident intends to return whenever absent.

RESIDENT

A person whose place of residence is so located in the Village as to render him or her eligible for procurement of a residential parking permit under this article.

RESIDENTIAL STREET

A street eligible for designation under this article for use of residential parking permits.

STREET

A route of public travel, opened and maintained by the Village of Kohler and located within the Village limits.

I. Penalty.

Any person violating the provisions of 11.20.050 shall be subject to a forfeiture as provided for in 1.18.010 plus court and other costs or penalty assessments applicable by law."

Section 3. **Amending Code.** Section 1.18.010 of the Municipal Code is hereby amended to add the following specific forfeitures to the Village bondschedule.

11.20.050	Parking Permit – First Offense	\$20.00
11.20.050	Parking Permit – Second Offense	\$40.00
11.20.050	Parking Permit - Third and Subsequent Offense	\$60.00

Section 4. **Severability.** Should any portion of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, the remainder shall not be effected.

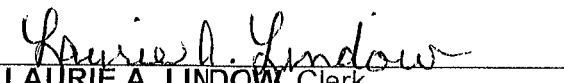
Section 5. **Effective Date.** This Ordinance shall take effect upon enactment and publication.

Enacted this 16th day of October, 2023.

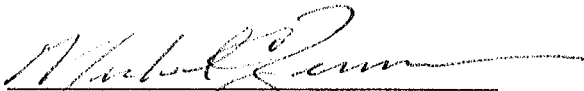
VILLAGE OF KOHLER


THOMAS R. SCHNETTLER, President

Countersigned:

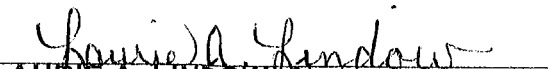

LAURIE A. LINDOW, Clerk

Presented by:


Village Trustee

CERTIFICATE OF ENACTMENT

This is to certify that the foregoing Ordinance was duly enacted by the Village Board of the Village of Kohler on the 16th day of October, 2023.


LAURIE A. LINDOW, Clerk