

## Ordinance 05-07-12-01

### An Ordinance Amending Sections 54-161 (d)(5)(a)(1), 54-161 (d)(5)(a)(4), 74-11, 74-12, 74-16 and 74-321 of the Village of Fontana on Geneva Lake Municipal Code Regarding pay to park program.

The Board of Trustees for the Village of Fontana on Geneva Lake, Walworth County, Wisconsin, do ordain as follows:

**Section 1.** Sections 54-161(d)(5)(a)(1) and 54-161(d)(5)(a)(4) of the Municipal Code of the Village of Fontana on Geneva Lake are hereby amended to read as follows:

#### Sec. 54-161. - General regulations.

##### (d) Fees and charges.

##### (5) Parking lot fees.

a. The boat/trailer parking lot No. 4 is open to for general public use, and the fees shall be as determined by the village board and shall be charged daily, including Saturdays, Sundays and holidays from April 15 to October 15 of each year.

1. The use of ~~the main parking lots Nos. 1, 2 and 3 located at Lake Street and South Shore Drive (Fontana Boulevard) and the bordering old lift station lot (a.k.a. lot 2), located at Fontana Boulevard and bordering the old main lift station,~~ shall be restricted to automobiles vehicles or motorcycles as determined by state license plate designation and shall not include trailers, recreational vehicles, commercial buses or trucks in excess of three-quarter ton. These are ~~metered pay to park~~ lots, ~~with meters~~ operating daily from April 15 to October 15 of each year. Notwithstanding the ~~meters park to park,~~ vehicles with a current resident sticker displayed ~~in a conspicuous place on~~ clearly on the driver's side windshield, may be parked ~~at these meters and the meters in these stalls and those located on Reid Street and on Third Avenue from Reid Street east to the Park House with no additional daily fee. Unless otherwise posted only one vehicle shall be parked in each stall.~~
2. For ~~automobiles vehicles~~ with trailers and recreational vehicles per day, said fee shall be determined by the village board.
3. For commercial buses per day, said fee shall be determined by the village board.
4. Upon payment of such annual fee as may be determined by the board, a resident or employee of a current business on Lake Street or Third Avenue from the corner of Lake Street to ~~the boat/trailer lot Reid Street~~, the village shall issue a single sticker which shall be clearly visible.

~~attached to the driver's side applied to the front windshield of the motor vehicle. The designated employee sticker shall only be valid in the boat trailer lot and lot Nos. 2 and 3.~~

**Section 2.** Section 74-11 of the Municipal Code of the Village of Fontana on Geneva Lake is hereby amended to read as follows:

**Sec. 74-11. - Defective meters.**

~~If a meter is defective so that it does not operate to receive legal coins, the parking space shall not be used for parking purposes. (Reserved.)~~

**Section 3.** Section 74-12 of the Municipal Code of the Village of Fontana on Geneva Lake is hereby amended to read as follows:

**Sec. 74-12. - Penalty.**

- (a) Procedures. A duly authorized police officer, community service officer, lakefront service officer or harbormaster, upon observing any parking violation within article V, division 6, shall affix a notice of such violation upon a prominent place on the vehicle, and the violator shall have 10 five days in which to submit \$15.00 as a forfeiture for such violation to the designated processing agency or department. If the \$15.00 forfeiture is not submitted within 10 five days of the violation, then said forfeiture shall be increased to \$25.00. If the forfeiture is not submitted within 20 days of the violation, then said forfeiture shall be increased to \$30.00. Payment shall constitute admission of guilt of the violation and shall conclude the case. Any person who shall fail to so pay the forfeiture within the required time shall be subject to a penalty as provided in section 74-3
- (b) Participation in the State of Wisconsin Nonmoving Violation and Registration Program. In addition to the above procedures, the village elects to participate in the nonmoving traffic violation and registration program of the Wisconsin Department of Transportation, pursuant to the provisions of Wis. Stats. § 345.28(4), and pay the costs established by the department under Wis. Stats. § 65.13. Such costs shall, in turn, be assessed against persons charged with nonmoving traffic violations. The village police department shall be responsible for complying with the requirements set forth in Wis. Stats. § 345.28(4).
- (c) Appeal. A not guilty plea may be entered within 10 five days of the violation by written notice to the Fontana Police Department, or by depositing the not guilty plea in the United States mail, addressed to the police department, postmarked within 10 five days of the violation.

**Section 4.** Section 74-16 of the Municipal Code of the Village of Fontana on Geneva Lake is hereby amended to read as follows:

**Sec. 74-16. - Operation of motor vehicles. Excessive acceleration prohibited.**

No person shall accelerate a motor vehicle or motorcycle in such a way as to cause the throwing of tires or stones or other highway material, race the motor or to cause a squealing of tires.

**Section 5.** Section 74-321 of the Municipal Code of the Village of Fontana on Geneva Lake is hereby amended to read as follows:

**DIVISION 6. - Parking**

**Subdivision IV. - Parking Meter Pay to Park Zones**

**Sec. 74-321. - Locations.**

~~Parking meters~~ Pay to park stalls when designated by the board shall be ~~installed~~ and operated from April 15 to October 15 of each year at the following locations within the village:

- (1) ~~Parking lot No. 2 west of South Shore Drive, south of Fontana Boulevard (Main Lift lot),~~ between Lake Street and Reid Street, subject to the provisions of section 54-161(a)(5).
- (2) North and south sides of Third Avenue, east of Reid Street and west of Lake Street.
- (3) ~~A portion of Reid Street, north of Third Avenue~~ Fontana Boulevard, on the east side to just north of Third Avenue.
- (4) ~~The main p~~ Parking lot No. 1 on Lake Street at Fontana Boulevard, subject to the provisions of section 54-161(a)(5).
- (5) Parking lots No. 3 and No. 4 located between High Street and Reid Street, subject to the provisions of Section 54-161 (a) (5).

**Section 6. Effective Date:** This ordinance shall be in full force and effect upon its passage approval, and publication as required by law.

**Passed and Adopted** by the Village Board of the Village of Fontana on Geneva Lake, Walworth County, WI this 7<sup>th</sup> day of May, 2012.

Village Board of the Village of Fontana on  
Geneva Lake

By: 

Arvid Petersen, Village President

Attest: 

Dennis L. Martin, Village Clerk

