

Ordinance 2023-12

ALLEYS

§ 301.03 DEFINITION.

For purposes of this subchapter, the terms **ALLEY** or **ALLEYWAY** shall mean a right-of-way other than a street, road, crosswalk, or easement which is designed for the special accommodation of the property it reaches. Such terms shall include all unnamed rights-of-way of less than 25 feet in width platted on the plat maps for the town, excluding any private drives.

§ 301.031 USE OF ALLEYS.

No driver of any vehicle shall use an alleyway as a thoroughfare. Alleys may be used for purposes of going to or departing from a place or property abutting the section or block of such alley. This restriction shall not apply to emergency services vehicles (including police, firefighters, and emergency medical services) that are responding to a call or emergency, nor to utility vehicles which are seeking access to utility lines or easements, nor to vehicles driven by municipal employees when performing inspections or other work for the town.

§ 301.032 SPEED LIMIT IN ALLEYS.

When a driver is operating or driving a vehicle in, on, or through any alley or portion thereof, the vehicle shall not exceed a speed of ten mph. This restriction shall not apply to emergency services vehicles (including police, firefighters, and emergency medical services) that are responding to a call or emergency.

§ 301.033 PARKING IN ALLEYS.

No vehicle shall be stopped, left to stand, or parked within an alley except when loading and unloading for a period of no more than 15 minutes unless a permit is first obtained from the Town Manager. No person shall stop, stand, or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property.

§ 301.034 OBSTRUCTING ALLEYS.

(A) No person shall obstruct an alleyway with any object or property, including, but not limited to, any building, fence, tree, shrub, shed, rock, post, snow-pile, dirt-pile, compost, mulch, equipment, automobile, or bicycle. No person shall alter or damage an alley in any manner that will prevent or obstruct use of the alley as a right-of-way.

(B) Any vehicle parked or left standing in an alleyway in violation of this subchapter shall be considered an "unattended vehicle" pursuant to § 303.08 and shall be subject to removal pursuant to that code chapter.

(C) Other movable objects that are found to be blocking or obstructing an alleyway shall be subject to being towed or removed by the town without notice. The owner of the object shall be liable for the reasonable cost of removing and storing the object until it is claimed.

(D) Structures or fixtures blocking an alley shall be subject to demolition and removal by the town after reasonable notice has been provided to the owner (if known) to remove the structure or fixture from the alleyway. However, the town may remove or demolish a structure without notice if it is determined that the presence of the structure in the right-of-way is creating a safety hazard or other emergency. Any person found to have violated this section shall be liable to the town for the cost of removing the structure or fixture. This section shall not apply to any building with a foundation, fence, tree, or other permanent fixture that was constructed, planted, or erected in an alley prior to June 1, 1995.

(E) Any person found to be responsible for the cost of demolition, removal, and storage of a vehicle, structure, or object hereunder, shall also be subject to any fine imposed pursuant to § 70.99.

§ 301.035 PERMITS.

Any person wishing to use an alley for temporary parking, for loading and unloading for a period of more than 15 minutes, or for a neighborhood block party may apply to the Village Clerk for an assembly permit. The Village Clerk shall issue a permit to any applicant applying for a permit for one of the above stated reasons provided that the use of the alley shall not block the driveway entrance to any property abutting the alley. The applicants shall bear the cost of mailing notice of the permit to each non-applicant property owner abutting the alley at least 24 hours in advance of the activity in question. Permits shall be issued for no more than 12 hours of duration. The applicants shall keep a copy of the permit available for inspection by any law enforcement officer during the period that the alleyway is being used.

§ 301.036 PLACEMENT OF SIGNS.

No person shall be subject to any fine for violating § 70.17 until a proper traffic-control device or sign has been erected on such alley. Any such sign shall comply with the requirements of the state's Uniform Traffic-Control Devices Manual, if applicable.

§ 301.037 PENALTY.

(A) Whoever violates §§ 301.031 through 301.036, upon conviction thereof, shall be fined not more than \$100.

(B) Any person operating a vehicle in violation of §§ 301.031 through 301.036 shall be subject to a fine of not more than \$500 for each violation.

1st Reading: July 31, 2023 Vote: Yeas: 6 Nays: 0

2nd Reading: August 14, 2023 Vote: Yeas: 6 Nays: 0

3rd Reading: August 28, 2023 Vote: Yeas: 6 Nays: 0

PASSED: 8-28-2023

SIGNED: Jill C. McKelvey
Mayor Jill McKelvey

ATTEST: Cindee M. Boyd
Cindee M. Boyd
Clerk/Treasurer

APPROVED: 8-28-2023

SIGNED: Jayne Griffith
President of Council
Jayne Griffith