

GENERAL ORDER

PORT WASHINGTON POLICE DEPARTMENT

SUBJECT: OTHER TRAFFIC RELATED DUTIES		NUMBER:	6.2.5
		ISSUED:	5/12/09
SCOPE:	All Sworn Personnel	EFFECTIVE:	5/12/09
DISTRIBUTION:	General Orders Manual	<input checked="" type="checkbox"/> RESCINDS	27.1
		AMENDS	
REFERENCE:	WI State Statute 102.58	WILEAG 3 RD EDITION STANDARDS: 2.4.10, 6.2.9, 6.2.10, 6.2.12, 6.2.13, 6.2.14	

INDEX AS: Assistance to Highway Users
 Escort Services
 Hazardous Highway Conditions
 High Visibility Clothing
 Traffic Direction and Control
 Vehicle Unlocks

PURPOSE: The purpose of this Order is to ensure the safe and efficient movement of motor vehicles and pedestrians within the City of Port Washington. The department will strive to reduce the incidence of traffic crashes and to provide for the orderly and safe flow of traffic.

This Order consists of the following numbered sections:

- I. TRAFFIC DIRECTION
- II. SIGNALING CONTROL AIDS
- III. HIGH VISIBILITY CLOTHING
- IV. ESCORT SERVICES
- V. ASSISTANCE TO HIGHWAY USERS
- VI. ADVERSE HIGHWAY AND WEATHER CONDITIONS
- VII. ABANDONED VEHICLES

- I. TRAFFIC DIRECTION
 - A. Manual Traffic Direction

1. Manual traffic direction will be performed by police officers when necessary to ensure the safe efficient movement of motor vehicles and pedestrians. Circumstances and situations will dictate whether officers should direct traffic or permit the traffic to flow without assistance.
2. Traffic flow problems may occur due to any of the following:
 - a) Traffic light malfunction or downed stop sign.
 - b) Special event creating heavy traffic flow.
 - c) Traffic crash, fire scene.
 - d) Temporary road hazard or obstruction.

B. Manual Traffic Direction Procedures

1. In the event traffic control is needed, the officer assigned should maintain a professional attitude and demeanor while conducting traffic control duties. Any other type of attitude or demeanor is likely to create more confusion than already exists for the pedestrians or vehicles being controlled.

The first step in the process is to select the proper location to establish operations. Several factors must be considered in selecting this location. They are:

- a) Design of the intersection,
 - b) Traffic patterns
 - c) Lighting conditions, and
 - d) Degree of traffic control required
2. The position of the police officer should be selected with personal safety in mind. This position must be clearly visible to drivers and should not interfere with the flow of traffic. The point most commonly selected is the middle of the intersection. Intersection design may dictate that another spot be chosen. Some types of intersections requiring the location to be to one side or the other of center are:
 - a) A "T" type intersection,
 - b) A one way street, and/or,
 - c) Unusually narrow roadway
 3. Manual traffic direction by an officer will be handled in a manner that will enable drivers and pedestrians to easily recognize and respond to standardized, clearly visible and easily understood audible signals (traffic whistle) and visual signals (hand signals) from the officer.

4. When directing traffic, the police officer should stand with his/her face or back toward the stopped traffic and his/her side toward traffic being directed to proceed. There are six basic signals for manual traffic control. They are:
 - a) **To stop traffic:** The officer shall extend their arm(s) outward with palm(s) towards the vehicle(s) to be stopped, accompanied by one long blast on the traffic whistle
 - b) **To start traffic:** The officer shall use the hand nearest the stream of traffic being directed to go. Holding the arm horizontal at shoulder height point, with the index finger at the vehicle(s) being directed, accompanied by two short blasts of the traffic whistle. Bending the elbow, bring the hand back in an arc to the front of chin to direct traffic to pass in front of the person directing traffic. Using the same procedure, bring the hand back behind the ear to direct traffic to pass in back of the person directing traffic.
 - c) **To change direction:** Use the stop signal to stop each stream of moving traffic separately. Turn 90 degrees. Keep both hands in the stop signal position. Give the go signal to each stream of traffic separately.
 - d) **Right turns:** The officer shall gesture to the driver of a vehicle turning right, to perform the turn by pointing at the driver and extending their arm toward the direction in which the turn is to be made.
 - e) **Left turns:** Left turns may be made only when there is a gap in the traffic flow or all cross traffic has been stopped. With the arm extended horizontally the officer shall point at the driver and swing the arm straight to point to where the driver is to go.

C. Manual Operation of Traffic Control Signals

1. Manual operation of traffic control signals may be initiated by officers under any of the following circumstances:
 - a) Special event causing excess traffic.
 - b) Traffic control signal malfunctions.
 - c) Traffic accident or other event affecting traffic movement.
2. Police officers may put traffic control signals on all direction flash, if by doing so a traffic problem will be reduced.
3. When an officer places traffic control signals on flash in response to a malfunction with the signals, an incident report will be prepared and a copy sent to the department of public works outlining the circumstances of the failure.

D. Temporary Traffic Control Devices

1. Portable stop signs may be used as needed in the event of a signal malfunction or downed or missing stop sign.
2. In case of a major traffic disruption, portable stop signs, barricades etc. are available from the department of public works.

E. Special Events

1. Special events may necessitate involvement of the police department for traffic direction and control. The department will provide necessary traffic direction and control in support of such pre-approved events.

F. Traffic Control at Fire Scenes

1. The primary duty of department personnel engaged in traffic direction at a fire scene is to maintain access for fire fighting vehicles and equipment, as well as limiting public access to the area.
2. The first officer(s) at the scene of a fire, shall position their vehicle(s) as to limit access to the area and coordinate their traffic and crowd control efforts with the fire department on-scene commander.
3. If it appears the fire fighting efforts will be prolonged, the department of public works should be notified to barricade the streets involved.

II. Signaling Control Aids

A. Use of signaling control aids may be necessary while conducting manual traffic control. These include, but are not limited to:

1. Traffic Whistle

- a) One long blast signals traffic to stop.
- b) Two short blasts signal traffic to proceed.
- c) Several short blasts should be used to gain attention.
- d) The whistle should be used as needed and **never** to indicate frustration or anger.

2. Voice

- a) Do not shout. Use a loud, professional tone.

3. Flashlight

- a) To stop traffic, swing the flashlight beam across the vehicle's path.
- b) Direct the beam at the pavement, being careful not to blind drivers.

- c) After a vehicle is stopped, use manual signals for further instructions.

III. HIGH VISIBILITY CLOTHING/SAFETY DEVICES

- A. Officers shall wear the department issued reflective traffic safety vests when directing traffic, other than in the event of an immediate emergency. In the event of an immediate emergency, officers shall put on the reflective traffic safety vest as soon as practical.
- B. Flashlights should be used with cone shaped traffic wand light diffusers.
- C. Flares may be positioned in the roadway or on the roadway edge in a manner that enhances conspicuity.

IV. ESCORT SERVICES

- A. Generally, all routine requests for escorts will be reviewed by a supervisor. Notwithstanding the exceptions noted in paragraph C below, officers may initiate escorts without specific authorization depending on circumstances. The use of the patrol vehicle emergency equipment will be left to the discretion of the officer performing the escort functions.
- B. Examples of Approved Escorts
 - 1. Motorcades
 - 2. Public officials and dignitaries
 - 3. Oversized vehicles
 - 4. Vehicles with hazardous or unusual cargo
 - 5. Funerals
 - 6. Other traffic occurrences requiring an escort
- C. Information Required Before Providing Escort
 - 1. Actual trip and route approvals and permits if needed.
 - 2. Maximum and minimum speeds to be used.
 - 3. Appropriate traffic direction points along the route.
- D. The Department shall **not** provide escorts in the following circumstances:
 - 1. Any person simply attempting to expedite their journey.
 - 2. Other emergency vehicles.
 - 3. Civilian vehicles transporting medical emergencies.

4. Civilian vehicles following emergency vehicles.

V. ASSISTANCE TO HIGHWAY USERS

A. General Assistance

1. Officers should provide reasonable assistance to motorists in need of information or directions.
2. Officers should assist, or arrange help for motorists in need of fuel.

B. Vehicle Lock Out Services

1. Officers shall respond to vehicle lock out calls for service and attempt to unlock the vehicle if requested to do so. The individual requesting the service must first complete and sign the standard Port Washington Police Department "Vehicle Lockout Form", as provided by the responding officer or police aide before any attempt is made to open the vehicle. (Form attached.)
2. Officers or police aides should conduct a registration check to ensure the person is entitled access to the vehicle.
3. Officers or police aides may assist in contacting a party with a duplicate key or provide information regarding the availability of a locksmith or towing service for unlocking the vehicle if the individual does not wish for the officer to attempt entry and/or in the event the officer is unsuccessful in gaining entry to the vehicle once the Vehicle Lockout Form has been completed.
4. If the situation necessitates it, the officer or police aide should standby for the arrival of the locksmith or towing service. Once the locksmith or towing service has arrived and it is determined that the officer's/police aide's services are no longer needed, the officer/police aide may clear from the scene.
5. If the incident becomes an emergency and immediate action is required, the officer/police aide shall effect entry to the vehicle in the safest and most expeditious manner possible.

C. Mechanical or Towing Services to Motorists

1. If a towing service is needed/requested, the officer/police aide shall ask the operator for a towing service preference. If there is no preference, the next towing service on the department towing list shall be contacted.
2. Officers/police aides should not attempt to provide repairs, change tires, jump batteries etc.
3. Police department vehicles should not be used for pushing, towing or jump starting disabled vehicles.

D. Medical and Fire Assistance to Motorists

1. Officers who encounter motorists in need of emergency medical services or assistance shall, to the extent possible, render first aid, or take such other action as is based on the officer's training. Officers shall summon EMS personnel when needed.
2. Officers who encounter motorists in need of fire protection services shall ensure that persons are removed from immediate danger and summon fire and EMS personnel as needed.

VI. ADVERSE HIGHWAY AND WEATHER CONDITIONS

A. Adverse road and weather conditions may include, but are not limited to:

1. Accidental hazards, such as debris that has fallen on the roadway from another vehicle.
2. Downed power lines.
3. Fallen trees.
4. Acts of nature such as fog, flooding, ice or snow on roadway etc.

B. Upon discovering or being sent to an adverse road or weather condition affecting safe roadway travel, officers are expected to request the help needed to remedy the hazard. For example, calling the needed support people from the department of public works, etc.

C. Department personnel shall provide traffic direction and control services in the vicinity of adverse road conditions, if appropriate, and shall do so with great caution, as snow, ice, flooding and fog can all make traffic direction more dangerous.

VII. ABANDONED VEHICLES

A. **Definitions:**

1. **“Vehicle”** shall mean any motor vehicle, trailer, semi-trailer or mobile home.
2. **“Street or Highway”** shall mean the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
3. **“Property”** shall mean any real property within the City, whether public or private, within the City that is not a street or highway, as defined above.

B. Abandonment of Vehicles Prohibited. No person shall leave unattended on any street or highway or on any property within the City any vehicle, whether or not registered under Ch. 341, Stats., for such time and under such circumstances as to cause it

reasonably appear to have been abandoned, unless it is a vehicle in a duly licensed auto salvage yard and/or junk yard as provided in subsec. 12.08.020E., or unless it is a parts car or special interest vehicle owned by a collector and stored on the collector's property, or unless it is a homemade vehicle, parts car, reconstructed vehicle, replica vehicle or street modified vehicle owned by a hobbyist and stored on the hobbyist's property, as provided in subsec. 12.08.020F.

C. Presumption of Abandonment.

1. Unattended Vehicles. Any such vehicle left unattended for more than 48 hours on any public highway or property or on any private property where parking is prohibited or restricted, without the permission of the authority or owner in charge thereof, is deemed abandoned and constitutes a public nuisance.
2. Inoperable and Unregistered Vehicles. Any such vehicle which is disassembled, dismantled, inoperable, wrecked or unregistered and any parts thereof stored or remaining in the open on any public highway or property, or on any private property not utilized as a vehicle junk or salvage yard permitted under this Code may be determined by the Police Department to be abandoned and to constitute a public nuisance.
3. Enclosed and Covered Vehicles. This subsection does not apply to such vehicles located on private property, not in violation of this Code, if enclosed completely in a building or other storage place or if covered completely by a car cover or tarpaulin.

D. Exemption. Any owner or operator of a registered vehicle which becomes disabled or inoperable for any reason, who is unable to remove it from a highway or public property not a prohibited or restricted parking area, shall notify the Police Department within 12 hours of such occurrence of the location of the vehicle and transfer and deliver clear title to the vehicle to the City together with towing costs for junking the vehicle, and thereupon shall be exempt from the provisions of this section. When so requested by the owner or operator, the Chief of Police is authorized to remove and junk such vehicle directly from its location.

E. Impoundment of Abandoned Vehicles. Any police officer who discovers any vehicle which has been abandoned within the City shall issue and attach a "NOTICE OF ABANDONMENT" form to the vehicle in question, a copy of which will also be mailed to the last known registered owner of the vehicle.

1. The "NOTICE OF ABANDONMENT" provides the vehicle owner forty-eight (48) hours from the date of the notice to remove the vehicle.
2. If it is not removed or stored in conformity with the applicable provisions of the Municipal Code, a citation may be issued for each day of the violation and/or it may be impounded pursuant to 12.08.020(D) of the code.
3. If impounded, the owner(s) will be civilly liable for any towing charges and accrued storage charges not recovered from sale or disposal of the vehicle.
4. Any police officer who discovers any vehicle which has been abandoned within the City and having met the requirements outlined above shall cause the vehicle to be removed by a junk or salvage yard or towing service with whom the City has entered into a towing services agreement for such service, to a suitable place of impoundment until reclaimed or disposed of as provided in subsec. 12.08.030,

except that if the chief of police determines that the towing costs and storage charges for the impoundment would exceed the value of the vehicle, it may be disposed of by the chief of police directly from its location and prior to the expiration of the impoundment period by private sale to, or junked with, the junk or salvage yard or towing service with whom the City has entered into a towing services agreement for such service, unless the vehicle is stolen or otherwise needed for evidence or other reason.

5. All substantially complete vehicles in excess of 19 years of age shall be disposed of in accordance with subsec. 12.08.030.
6. Upon the removal of the vehicle, the police officer shall notify the chief of police of the abandonment and of the location of the impounded vehicle.
7. Upon causing the removal of the vehicle by such junk or salvage yard or towing service, the police officer shall, within 24 hours of ordering the removal, notify the junk or salvage yard or towing service of the name and last-known address of the registered owner and all lienholders of record of the vehicle, unless the towing services agreement requires the City to provide notice to such owner and lienholders of the towing.

F. Exception; Auto Salvage/Junk Yards. The provisions of this section shall not apply to vehicles in auto salvage yards and/or junkyards that are duly licensed under the ordinances of the City of Port Washington pertaining to such operations.

G. Exception; Special Interest Vehicles, Parts Car, Homemade Vehicle, Reconstructed Vehicle, Replica Vehicle and Street Modified Vehicle. The provisions of this section shall not apply to a “parts car” or “special interest vehicle” owned by a “collector” and stored on the collector’s property, nor to a “homemade vehicle,” “parts car,” “reconstructed vehicle,” “replica vehicle” or “street modified vehicle” owned by a “hobbyist” and stored on the hobbyist’s property, as said terms are defined in secs. 341.266(1) and 341.268(1) Stats. A collector or hobbyist may store unlicensed, operable or inoperable, vehicles and parts cars on the collector’s or hobbyist’s property provided the vehicles and parts cars and the outdoor storage area are maintained in such manner that they do not constitute a health hazard and are screened from ordinary public view by means of a fence, rapidly growing trees, shrubbery or other appropriate means.

Disposal of Abandoned Vehicles.

A. Reclamation of Vehicles. Any vehicle abandoned in violation of this section and impounded shall be stored at such place of impoundment for a minimum period of ten (10) days after notice by certified mail has been sent to the owner and lienholders of record to inform them of their right to reclaim the vehicle after payment of towing costs and accrued storage charges. Such notice shall contain the information specified in sec. 342.40(3), Stats.

B. Vehicles Not Reclaimed. Any vehicle not reclaimed by the owner or lienholder under subsec. 12.08.030A may be disposed of by sealed bid or auction sale in accordance with sec. 342.40(3), Stats., except that if the chief of police determines that the value of the vehicle is \$500.00 or less, it may be disposed of by private sale to, or junked with, the junk or salvage yard or towing service with whom the City has entered into a towing services

agreement for such service. A list of vehicles to be sold shall be maintained and made available by the chief of police to any interested person or organization upon request.

C. Removal of Vehicles; Forfeiture of Interest. The purchaser of any vehicle sold under this subsection shall have 10 days after the sale date to remove it from storage and shall pay a reasonable storage charge for each day it remains in storage after the second business day subsequent to the sale date. The purchaser shall forfeit all interest in the vehicle, and it shall be deemed to be abandoned and may be sold again, if it is not removed within 10 days after the sale date.

D. Title to Vehicles. Upon sale of an abandoned vehicle under this subsection, the Chief of Police shall furnish the purchaser with a completed form designed by the State Department of Transportation enabling the purchaser to obtain a regular certificate of title. Within 5 days after the sale or disposal of a vehicle under this subsection or Section 12.08.020 (D) above, the Chief of Police shall advise the department of its disposition on a form supplied by the department.

E. Claims Barred; Exception. The sale of a vehicle under this subsection or Section 12.08.020 (D) above shall bar forever all prior claims thereto and interest therein except that, at any time within 2 years after the sale, any person claiming ownership or another financial interest in such vehicle may present a claim to the Council setting forth any facts necessary to establish the ownership or interest and to demonstrate that failure to reclaim the vehicle prior to sale was excusable neglect. The Council may allow such claim only to the extent of the claimant's interest in the vehicle and in an amount not to exceed the proceeds of the sale.

Inventory Required. The Police Department shall maintain, for a period of six (6) years from the date of the applicable disposition, an inventory of all vehicles disposed of under this section, whether by sealed bid, auction sale, private sale or junking, including the dates and methods of disposal, the consideration received for the vehicles, if any, and the names and addresses of the persons taking possession of the vehicles.

12.08.050 Owner Liability. The owner of any abandoned vehicle except a stolen vehicle is responsible for the abandonment and is liable for the costs of any charges of its impoundment and disposal. Costs and charges not recovered from its sale may be recovered by the City in a civil action against the owner.

APPROVED:

DATE:



5/12/09

Chief Richard P. Thomas

ABANDONED VEHICLES NOTICE

12.08.020 Abandoned Vehicles

WORD:ABANDVEH.DOC

6/96

A. **Abandonment of Vehicles Prohibited**. No person shall leave unattended on any public highway or any public or private property in the city any motor vehicle, trailer, semitrailer, or mobile home as defined in sec. 340.01, Wis. Stats., whether or not registered under Ch. 341, Wis. Stats., for such time and under such circumstances as to cause it reasonable to appear abandoned.

B. **Presumption of Abandonment**

1. **Unattended Vehicles**. Any such vehicle left unattended for more than 48 hours on any public highway or property or on any private property where parking is prohibited or restricted, without the permission of the authority or owner in charge thereof, is deemed abandoned and constitutes a public nuisance.

2. **Inoperable and Unregistered Vehicles**. Any such vehicle which is disassembled, dismantled, inoperable, wrecked or unregistered and any parts thereof stored or remaining in the open on any public highway or property, or on any private property not utilized as a vehicle junk or salvage yard permitted under this Code may be determined by the Police Department to be abandoned and to constitute a public nuisance.

3. **Enclosed and Covered Vehicles**. This subsection does not apply to such vehicles located on private property, not in violation of this Code, if enclosed completely in a building or other storage place or if covered completely by a car cover or tarpaulin.

C. **Exemption**. Any owner or operator of a registered vehicle which becomes disabled or inoperable for any reason, who is unable to remove it from a highway or public property not a prohibited or restricted parking area, shall notify the Police Department within 12 hours of such occurrence of the location of the vehicle and transfer and deliver clear title to the vehicle to the City together with towing costs for junking the vehicle, and thereupon shall be exempt from the provisions of this section. When so requested by the owner or operator, the Chief of Police is authorized to remove and junk such vehicle directly from its location.

D. **Impoundment of Abandoned Vehicles**. Any vehicle found abandoned in violation of this section shall be impounded by the Police Dept. until reclaimed or disposed of under Section 12.08.030, except if the Chief of Police determines that the towing costs and storage charges for the impoundment would exceed the value of the vehicle, it may be disposed of by private sale or junked by the Chief of Police directly from its location and prior to the expiration of the impoundment period unless the vehicle is stolen or otherwise needed for evidence or other reason. All substantially complete vehicles in excess of 19 model years of age shall be disposed of in accordance with Section 12.08.030.

Make _____ Year _____ Color _____ Model _____

ID # _____ License # of Vehicle _____ State _____

Address of Parked Vehicle _____

Dated this _____ day of _____ 20_____

POLICE OFFICER

Removed _____ Date _____ By _____

To _____ Officer _____

CITY OF PORT WASHINGTON POLICE DEPARTMENT
Vehicle Lockout Form

I, _____,

Date of birth ____/____/____,

Living at _____,

City of _____, State of _____,

Telephone ____-____-____,

have requested that an officer of the City of Port Washington Police Department assist me in entering a locked vehicle,

License # _____,

Vehicle ID # _____.

I affirm that I own the above-mentioned vehicle, or have the permission of the owner, to possess and use said vehicle. In exchange for the assistance of the Port Washington Police Department officer, I hereby grant permission to the officer and the Police Department to attempt to unlock and enter said vehicle. I further agree to indemnify and hold harmless the officer, the Port Washington Police Department, and the City of Port Washington, from any claim, or for any damages which may occur to the vehicle or its contents, or for any personal injury which may result from the officer's attempt to unlock and/or enter said vehicle.

Owner/Operator of Vehicle

Date

Witness/Officer

Date

Vehicle Lockout Form

NOTICE OF IMPOUNDMENT OF ABANDONED VEHICLE

Date:

Incident # 05-0000

John Doe
123 Main Street
Port Washington, WI 53074

Mr. Doe,

This Department has impounded the vehicle described below, as it has been deemed abandoned in the City of Port Washington, Wisconsin.

Green 1993 Ford Tempo
Wisconsin Registration # 332GRF
Vehicle Identification # 1FAPP31XXPK196508

You have ten (10) calendar days from the date of this notice to reclaim the vehicle described above. If it is not reclaimed on or before February 2, 2005, by direct payment in full of any towing charges and accrued storage costs (cash, money order, or certified check) to Auto Parts & Recycling, it may be sold or disposed of as provided by 12.08.030 Municipal Code of the City of Port Washington, Wisconsin.

ABANDONMENT OF VEHICLES IS PROHIBITED BY 12.08.020 OF THE MUNICIPAL CODE. A CITATION MAY BE ISSUED FOR EACH DAY OF THE VIOLATION IN ADDITION TO YOUR CIVIL LIABILITY FOR ANY CHARGES AND COSTS NOT RECOVERED FROM THE SALE OR DISPOSAL OF THE VEHICLE.

If you have any questions regarding the return or disposal of your vehicle, please contact Auto Parts and Recycling directly Monday through Friday 8:00AM to 4:00PM at (262)692-2447.

Thank you for your cooperation.

Michael Keller
Captain