
STATE OF WISCONSIN : VILLAGE OF PEWAUKEE : WAUKESHA COUNTY

ORDINANCE NO. 2025-03

**ORDINANCE TO CREATE CHAPTER 86 – ARTICLE XI OF THE MUNICIPAL CODE
OF THE VILLAGE OF PEWAUKEE REGARDING THE PROHIBITION OF
CRUISING**

The Village Board of the Village of Pewaukee, Waukesha County, Wisconsin do ordain as follows:

SECTION I

Chapter 86 – Article XI (Cruising) of the Municipal Code of the Village of Pewaukee is hereby created as follows:

Section 86.153. Findings and Purpose.

- a) It is hereby found that a threat to the public health, safety and welfare arises from the congestion created by the repetitive unnecessary driving of motor vehicles, also known as “cruising”, at certain times on certain highways within the Village of Pewaukee. The purpose of this Article is to reduce the following which directly result from cruising in the downtown and lakefront area: dangerous traffic congestion, noise, and air pollution; obstruction of streets, sidewalks, and parking lots; impediment of access to businesses, restaurants, shopping centers, the Pewaukee Lake lakefront area, Lakefront Park, and/or other buildings open to the public; interference with use of property or conduct of business during peak hours of lakefront and downtown area use; interference with access for emergency vehicles to and through the said highways.

Section 86.154. Definitions.

- a) The term “Cruising” as used in this Article shall mean driving a motor vehicle past a Traffic Control Point on a highway in the Designated Area more than twice in any two-hour period between the hours of 11:00am and 11:00pm between May 1 and October 31 in a manner and under circumstances manifesting a purpose of unnecessary, repetitive driving. Among the circumstances which may be considered in determining whether a purpose of unnecessary, repetitive driving is manifested include, but are not limited to, the following: (1) that the driver or any other person present in the vehicle attempts to gain the attention of other motorists or pedestrians or engages them in conversation, whether by hailing, arm waving, horn blowing, engine revving, or another action or device; (2) that the driver or any other person present in the vehicle violates state or municipal traffic regulations or municipal ordinances; (3) or that the driver or any other person present in the vehicle has declared his or her purpose for driving to be that of cruising. Notwithstanding the foregoing, “Cruising” shall not include traveling for a lawful purpose including, but not limited to, traveling to a specific destination by a person whose residence address is in the Designated Area or by a person whose business or employment requires driving in the Designated Area.

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- b) The term "Designated Area" as used in this Article shall mean West Wisconsin Avenue from the point of intersection with High Street to the point of intersection with Oakton Avenue and Park Avenue.
 - c) The term "Traffic Control Point" as used in this Article shall mean a reference point within or adjacent to a Designated Area selected by a police officer for the purpose of enforcing this Article.

Section 86.155. Cruising Prohibited.

- a) It shall be unlawful for anyone to engage in Cruising. For purposes of this Article, the person having control or ownership of the motor vehicle shall be considered the person cruising, without regard as to whether the person was actually driving the motor vehicle each time it passed the Traffic Control Point. Having control or ownership of a motor vehicle shall mean either the owner of such vehicle if present in the vehicle at the time of the violation or, if the owner is not present, the person operating the vehicle at the time of violation.
- b) Exclusions. This Article shall not apply to:
 - a. Any publicly owned vehicle of any city, county, state, federal or other governmental unit, while such vehicle is being used for the official purposes of said governmental unit.
 - b. Any authorized emergency vehicle.
 - c. Any taxicabs for hire, buses, or other vehicles being driven for business purposes.
- c) The Police Department and Department of Public Works are authorized and directed to place uniform traffic control signage within and adjacent to the Designated Area to advise operators of the material terms and conditions of this Article.

Section 86.155. Penalty

- a) Any person violating the provisions of this Article shall be subject to the provisions contained in Chapter 86 – Article II of the Municipal Code of the Village of Pewaukee. In the event of any conflict between that provision and this Article, the penalties provided for herein shall supersede the provisions of Article II.
- b) Any person violating the provisions of this Article shall, upon conviction, be subject to the following forfeitures together with the costs of prosecution:
 - i. Not more than \$100.00 upon the first conviction under this Article.
 - ii. Not more than \$200.00 upon the second conviction under this Article within a twelve-month period.
 - iii. Not more than \$300.00 upon the third and each subsequent conviction under this section within a twelve-month period.

SECTION II

All Ordinances or parts of Ordinances contravening the terms and conditions of this Ordinance are hereby to that extent repealed;

SECTION III

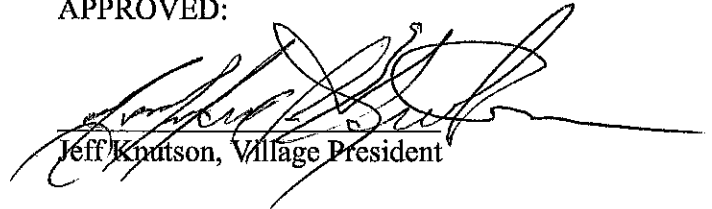
The several sections of this Ordinance shall be considered severable. If any section shall be considered by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other portions of the Ordinance.

SECTION IV

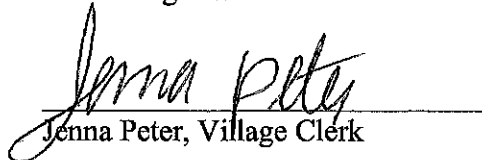
This Ordinance shall take effect upon passage and publication as approved by law, and the Village Clerk shall so amend the Code of Ordinances of the Village of Pewaukee, and shall indicate the date and number of this amending Ordinance therein.

Passed and adopted this 6th day of May, 2025, by the Village Board of the Village of Pewaukee.

APPROVED:


Jeff Knutson, Village President

Countersigned:


Jenna Peter, Village Clerk