

CHAPTER 7

TRAFFIC CODE

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7.340 – 7.941.03 WISCONSIN STATE TRAFFIC LAWS.

- (1) The Wisconsin State Traffic Laws are hereby adopted presently found in Chapters 340, 341, 342, 343, 344, 345, 346, 347, 348, 941.01 and 941.02 and 941.03 for the purpose of regulations and policing of traffic in the City of Algoma.
- (2) “The State of Wisconsin Revised Uniform State Traffic Deposit Schedule” is hereby adopted.
- (3) Citation shall be issued by officers of the City of Algoma by referring to Section 7 as the prefix to the applicable and corresponding state statute number.
- (4) Any future amendments, revisions or modifications of statutes or Uniform State Traffic Deposit Schedule incorporated herein are intended to be made part of this chapter in order to secure uniform State wide regulation of traffic on the highways, streets, and alleys of the State of Wisconsin.
- (5) The City of Algoma adopts and authorizes the use of citations for the enforcement of any City of Algoma Ordinance, including those for which there is a statutory counterpart. The citation for must comply with the form provided for in Wis. Statutes. 66.119 (1)(b).

7.02 SPEED LIMITS.

- (1) The provisions of Chapter 346 Wisconsin State Statute relating to maximum and minimum speed of vehicles is hereby adopted as part of this section as if fully set forth herein.
- (2) SPEED LIMITS INCREASED. The speed limits are increased as here-in-after set forth upon the following streets between the limits designated:
 - (a) 35 Miles Per Hour:
 1. On STH 42 between South Street and Feld Street.
 2. On STH 42 between Fayette Street and a point northerly thereof a distance of 0.22 miles.
 3. On CTH S between Arlington Avenue and Prospect Avenue.
 4. On STH 54 between Parker Avenue and Buchanan Street.
 - (b) 45 Miles Per Hour:
 1. On STH 42 between Feld Street and the City Limits.
 2. On STH 54 between the City Limits and Parker Avenue.

7.03 TRAFFIC MAP ESTABLISHED. Through streets, intersections at which vehicles must stop or yield the right-of-way and parking limitations shall be shown on an official Traffic Map on file in the office of the City Clerk and the Police Department, which Map is adopted as a part of this section. Failure to observe the restrictions shown on such Map shall be a violation of this Chapter. The Council may, from time to time make additions to or deletions from such Traffic Map. The Chief of Police shall cause all such additions to or deletions from such Map to be made.

7.04 ALL NIGHT PARKING PROHIBITED.

- (1) No person shall park any vehicle on any of the streets of the City between 2:00 a.m. and 5:00 a.m. during the period from, and including November 1 through March 31 of each year.
- (2) The Police Department and all members thereof, may remove and tow away, or have removed and towed away by commercial towing service any car or other vehicle illegally parked in any place where such parked vehicle creates or constitutes a traffic hazard, blocks the use of a fire hydrant, or obstructs or may obstruct the movement of any emergency vehicle. Cars so towed away for illegal parking shall be stored in a safe place and shall be restored to the owner or operator of such car or other vehicle upon payment of a fee for towing within 24 hours after the time such are removed, plus storage fee of each additional 24 hours or fraction thereof.
- (3) OVERNIGHT CAMPING PROHIBITED. No person shall camp or maintain a campsite, tent, or mobile recreational vehicle whether self-propelled or not, or camp overnight on any street or property owned or maintained by the City.

7.045 USE OF PARKING STALLS. No person shall park any vehicle in any of the streets of the City so as to protrude, overlap or extend beyond the designated single stall parking area as set forth.

7.046 PARKING ON FRONT LAWNS IN SUMMER PROHIBITED. No person shall park any motor vehicle on the front lawn of City lot which is not a parking area at any time from, and including, April 1 through October 31 of each year. A "parking area" is defined for purposes of this ordinance as an area, which is prepared for the parking of motor vehicles by covering the soil with concrete asphalt or gravel.

7.047 PARKING OF UNLICENSED AND INOPERABLE VEHICLES ON CITY STREETS PROHIBITED. No person shall park, or leave parked or unattended, a vehicle on any street in the City at any time of day during any period of the year when the vehicle is not licensed to operate upon City streets or is not in operating condition. "Operating Condition" means being capable of being started by the insertion of a key in the ignition and the moving of the vehicle without any further additions to the vehicle or further works on it.

7.048 PARKING OF TRAILERS AND MOTOR HOMES PROHIBITED. No person shall park, or leave parked and unattended a trailer of any type, motor home or any motor vehicle upon any street in the City for a period of time exceeding forty eight (48) hours.

7.049 REMOVAL OF VEHICLES FOR STREET MAINTENANCE. The owner or possessor of a vehicle shall remove all vehicles within its ownership or possession from the street or alley in the City upon proper notification from the Street Department or Police Department of the city for maintenance purposes within the time as indicated in the notice and shall prevent such vehicle(s) from being parked upon the designated street or alley for the time period as indicated in the notice. A notice shall be deemed proper notification if it is affixed to the vehicle in a conspicuous place.

7.05 U-TURNS PROHIBITED. No U-turns shall be permitted at the following places:

- (1) On Fourth Street at its intersection with State, Steele, Clark, and Fremont Streets.
- (2) On Steele Street at its intersection with Second Street and Third Street.

7.06 ERECTION OF OFFICIALS TRAFFIC SIGNS AND SIGNALS. The Police Department shall procure, erect and maintain appropriate standard traffic signs, signals and markings conforming to the rules of the State Department of Transportation giving notice of the provisions of Sections 7.02 through 7.05. Signs shall be erected in such locations and manner as authorized by the Council as to give adequate warning to users of the street, alley or highway in question.

7.07 SNOWMOBILES. Adoption of the State of Wisconsin Laws Regulating Snowmobiles.

- (1) The Wisconsin Laws regulating Snowmobiles are hereby adopted as found in Chapter 350 of the Wisconsin Statutes.
- (2) "The State of Wisconsin Revised Uniform Traffic Deposit Schedule", is hereby adopted.
- (3) Any future amendments, revisions, or modifications of statutes incorporated herein are intended to be made part of this section in order to secure uniform State Wide regulation of snowmobiles in the State of Wisconsin.
- (4) Chapter 346.02(10) of the Wisconsin Statutes (Applicability of Rules of Road to Snowmobiles) is hereby adopted.

(5) Snowmobile Routes Designated.

- (a) Except as provided in Chapter 350 which is herein adopted, no person shall operate a snowmobile upon public right-of-way, in any public park, parking lot or any other public property in the City except as hereinafter designated as snowmobile routes. The following streets as designated snowmobile routes:
(See Map)

Navarino Street and Division Street

Also designated as finger routes off of Division Street are:

Steele Street – to Deep Rock Station

Clark Street – to Amoco Station via the alley between 3rd and 4th St.

Ohio Street to 5th Street – to Clark Station and Mobil Station (cross Jefferson Street).

Finger routes are designated as routes to obtain fuel. Specific map indicating routes is attached below.

- (b) Snowmobiles may be operated on City streets but only as provided in Section 7.07 (5)(a) being the City's designated snowmobile routes; and in instances when a snowmobile operator is operating his snowmobile on the most direct and shortest route from the place where the snowmobile is stored to a place where the operator shall have the most reasonable access to go upon the designated snowmobile route. In no event shall a snowmobile be operated on State Highway 42 (Fourth Street and Lake Street) or State Highway 54 (Jefferson Street).
- (c) The Chief of Police is authorized to procure, erect and maintain appropriate snowmobile route with markers.
- (d) All snowmobiles operate on a designated route over public highways shall observe the rules of the road for motor vehicles set forth in Chapter 346 of the Wisconsin vehicles set forth in Chapter 7 of the Municipal Code which is hereby adopted by reference and made a part of this ordinance as if fully set forth herein. Any act required to be performed or prohibited by such laws is required or prohibited by this ordinance.

(6) ADDITIONAL REGULATIONS.

- (a) **SPEED.** No person shall operate a snowmobile upon any public right-of-way or highway within the City of Algoma at a speed in excess of that permitted or posted for other motor vehicles or designated public parks at 10 m.p.h.
- (b) **HOURS OF OPERATION.** No person shall operate a snowmobile upon any public highway or other public property within the City of Algoma between the hours of 2:00 a.m. and 7:00 a.m.
- (c) No person shall leave or allow a snowmobile owned or operated by him to remain unattended on any public highway or public property while the motor is running or with the starting key left in the ignition.
- (d) **OPERATION ON SIDEWALK PROHIBITED.** No person shall operate a snowmobile on any sidewalk or pedestrian way within the City.
- (e) **OPERATION ON PRIVATE PREMISES RESTRICTED.** No person shall operate a snowmobile on any private property now owned or controlled by him within the city without the express consent or permission of the owner.
- (f) **OPERATION ON ICEBOUND WATERS.** No person shall operate or ride a snowmobile on the Ahnapee River or stream, tributaries, at any time or place when such operation has been declared unsafe by the Chief of Police. The Chief of Police is authorized to procure, erect and maintain signs giving notice that such restrictions are in effect at all public access points to said river.

- (7) PENALTY. Any person who shall violate any provisions of this ordinance shall be prosecuted pursuant to procedures found in Chapter 22, Enforcement of Ordinances, of the Algoma Code of the Ordinances and shall suffer a forfeiture pursuant to the penalty provisions found in Section 20.04 of the Algoma Code of Ordinances. This penalty section is not restrictive but should be concurrent with those penalty provisions as found in the State Statutes adopted herein.

7.08 PENALTIES.

- (1) PARKING VIOLATIONS. The penalty for any violation of any parking limitation imposed by this Chapter shall be \$5.00. If not paid within 72 hours the penalty shall be \$10.00. After written notice is given to the operator of the vehicle or written notice of the violations is left in a conspicuous place on such vehicle the penalty shall be \$15.00. After a second written notice the penalty shall be \$35.00. The penalty for actions brought to court will be the forfeiture plus applicable court costs. Actions will be brought to Court by the use of citation as described in Algoma Ordinances 7.340-7.941.03(5). All parking ordinances shall apply on all streets and alleys and all City owned or leased property including parking lots, as well as other property when requested by the owner or person in charge.
- (2) MOVING VIOLATIONS. Except as provided in (1), any person who shall violate any provision of this Chapter shall, upon conviction thereof, forfeit such sum as indicated in "The State of Wisconsin Revised Uniform Traffic Deposit Schedule" together with costs of prosecution, and in default of payment of the forfeiture and costs of prosecution, and in default of payment of the forfeiture and costs of prosecution shall be imprisoned in the county jail until said forfeiture and costs are paid, but not to exceed 90 days, provided that the minimum forfeiture for a violation of any provision of Sec. 7.02 shall be \$10.00.
- (3) Any violation of the provision of this chapter, shall be subject to a penalty as provided in Sec. 20.04 (4) and (5) of this code unless the penalty has been specifically specified elsewhere in the City of Algoma Municipal Code.
- (4) TRAFFIC SCHOOL. The provisions of Chapter 346 Wis. Statutes shall apply to adjudications of violation of any provision of this Chapter.
- (5) TRAFFIC VIOLATION AND REGISTRATION PROGRAM FORMAL ADOPTION.
- (a) The Traffic Violation and Registration Program as enabled by Wisconsin Statute 85.13, 110.06(1), 227.014, 345.28, and 345.47(1) (d) and as found pursuant to the Wisconsin Administrative Regulations.
- (b) Pursuant to the Traffic Violation and Registration Program, and pursuant to the Wisconsin Administrative Regulations Trans 128.01, et. seq., the Algoma City Police Department is authorized to send out a first and second notice to those automobile registrants who have not paid fines; and, pursuant to the Wisconsin Administrative Regulation, the recipient shall be given fifteen (15) days to respond to the first notice and five (5) days to respond to the second notice.
- (c) Pursuant to the Traffic Violation and Registration Program and pursuant to the Wisconsin Administrative Regulation Trans 128.01, et. seq., a late fee of Twenty

and 00/100 (\$20.00) Dollars shall be assessed the recipient upon the first notice not being responded to and upon the second notice being sent; and said late fee penalty shall be assessed in addition to any amount originally stated in the first notice.

7.09 ENFORCEMENT.

- (1) **ENFORCEMENT PROCEDURE.** This Chapter shall be enforced according to Sec. 66.12 and Chapter 345, Wisconsin Statutes.
- (2) **DEPOSIT.** Any person arrested for a violation of this Chapter may make a deposit for money as directed by the arresting officer at the police station or at the office of the Clerk of Courts or by mailing the deposit to such places. The arresting officer of the person receiving the deposit shall comply with Chapter 343, Wis. Statutes, or, if the deposit is mailed, the signed statement required under Chapter 343 shall be mailed with the deposit. The arresting person, orally or in writing, that:
 - (a) If he fails to appear in court at the time fixed in the citation he will be deemed to have tendered a plea of no contest and submitted to a forfeiture plus costs not to exceed the amount of the deposit; or
 - (b) If he fails to appear in court at time fixed in the citation, and if the court does not accept the deposit as a forfeiture, he will be summoned into court to answer the complaint.

The amount of the deposit shall be determined in accordance with "The State of Wisconsin Revised Uniform Traffic Deposit Schedule: The deposit shall include court costs and suit tax. The arresting officer or the person receiving the deposit shall issue the arrested person a receipt therefor as required by Chapter 345 Wis. Statutes.

- (c) If a deposit schedule has not been established, the arresting officer shall require the alleged offender to deposit not less than the maximum forfeiture permitted under this section.
- (3) **STIPULATION OF NO CONTEST.** Any person charged with a violation of this chapter except sec. 346.62(1) and 346.63(1) Wis. Statutes, may make a stipulation of no contest pursuant to Chapter 345, Wis. Statutes, which must be received at the office of the police department or Clerk of Courts within 10 days of the date of the alleged violation. Such person shall at the time of entering into the stipulation make the deposit required under sub. (2), if he has not already done so. A person who has mailed or filed a stipulation under this subsection may, however, appear in court on the appearance date and may be relieved from the stipulation for cause shown as required in Chapter 345 Wis. Statutes.

7.10 REGISTRATION OF BICYCLES.

- (1) **REGISTRATION REQUIRED.** No person shall operate a bicycle customarily kept within the City upon any street within the City unless such bicycle shall first have been properly registered and tagged as herein provided.

- (2) **HOW TO REGISTER.** Registration shall be made by filing with the Chief of Police the name and address of the owner, together with a complete description of the bicycle on forms provided by the Chief of Police. A registration fee of \$3.00 shall be charged with a license tag is issued. If registration is not made within the time prescribed by sub. (4), the registration fee shall be \$4.00. Registration shall be serially numbered and kept on file in the Police Department as a public record.
- (3) **IDENTIFICATION TAG.** Immediately upon such registration, the Department shall cause an identification to be affixed to the bicycle registered, serially numbered to correspond with the registration number. Such tag shall remain affixed to the bicycle unless removed by the Department for cause or for re-tagging. In case of theft or loss, a duplicate tag shall be issued. The fee of \$1.00 shall be charged for each duplicate tag issued.
- (4) **EXPIRATION OF REGISTRATION.** Registration shall be made within 10 days of receiving a new or different bicycle. The license is of a permanent nature. Once a license is obtained, a new license is not needed unless a new or different bicycle is obtained.
- (5) **INJURY TO IDENTIFICATION TAGS PROHIBITED.** No person shall willfully remove, deface or destroy any such identification tag.

7.11 REGULATIONS OF BICYCLES.

- (1) **DEFINITION.** As used in this chapter, a bicycle is any device propelled by the feet acting upon pedals and having wheels, any 2 of which are more than 16 inches in diameter.
- (2) **LAMPS AND OTHER EQUIPMENT OF BICYCLES.**
 - (a) No person may operate a bicycle upon a highway, bicycle lane or bicycle way during hours of darkness unless such bicycle is equipped with or the operator is wearing a lamp emitting a white light visible from a distance of at least 500 feet to the front of such bicycle. Such bicycle shall also be equipped with a red reflector that has a diameter of at least 2 inches of surface area on the rear so mounted and maintained as to be visible from all distances from 50 to 500 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to but not in lieu of the red reflector.
 - (b) No bicycle shall have any type of siren on it.
 - (c) No person riding upon a bicycle shall cling or attach himself or his bicycle to any moving vehicle.
 - (d) The operator of a bicycle shall not carry another person on the bicycle when in operation, nor shall the operator of any bicycle tow or draw any coaster, sled, person on roller skates, trailer, toy vehicle or other similar vehicles.
 - (e) No person operating a bicycle shall participate in any race, speed or endurance contest with any other moving vehicle on a City street.

- (f) No rider of any bicycle shall practice any fancy or acrobatic riding or stunts while operating such bicycle. Trick riding and riding without both hands on the handlebars or both feet on the pedals is unlawful.
- (g) The rider of a bicycle shall ride as near as practical to the right hand curb or edge of the roadway at all times and groups shall ride in single file when possible.
- (h) Bicycles which are not mechanically safe shall not be operated on the streets of the City.
- (i) Bicycle riders must obey all traffic laws when riding upon public streets and highways in the City, such as:
 - 1. Giving hand signals for left turns, right turns and stopping.
 - 2. Stopping for arterial.
 - 3. Giving pedestrians on crosswalks the right-of-way.
 - 4. Being in the proper lane when making turns.
 - 5. Operating in the proper lane of traffic and not weaving in and out of traffic or the proper lane of traffic.
 - 6. Riding at safe speeds under existing conditions.
 - 7. Stopping before entering streets and before entering thoroughfares from alleys or driveways.
- (j) No bicycle shall be parked upon any sidewalk or upon any roadway in such a manner as to interfere with the free passage of the public.
- (k) No bicycle shall be operated on any sidewalk in the commercial areas of Fourth Street and Steele Street.
- (l) No bicycle shall at any time be operated on the streets of the City unless such bicycle shall prominently display upon the rear of such bicycle a proper and current City license plate.
- (m) Newsboys while actively engaged in the delivery of newspaper shall be permitted to operate their bicycle on public sidewalks.
- (n) The Police Department may set mechanical safety standards and equipment requirements in conformity with local and state regulation and deny or suspend the issuance of City license plates to nonconforming and unsafe bicycles.
- (o) The operator of a bicycle shall not carry another person on the bicycle unless the bicycle has been specifically designed to carry more than one person and has a separate seat, separate pedals and separate handle bars for each additional occupant, unless equipped with a child's seat in which the following conditions and regulations shall be observed.
 - 1. The operator shall be 16 or older.
 - 2. The passenger shall be under 7 and seated on the child seat or carried in a papoose type carrier.

3. "Child Seat" means a seat manufactured and designed for the purpose of attaching to a bicycle and equipped with a safety belt, arm rest, back rest, foot rest, spoke protector and such seat shall be securely attached by bolts or nuts to the bicycle frame at 3 points, 2 of which are at either side of the front or back wheel axle.
 - (p) No person under 8 shall operate a bicycle on City streets, except that persons 6 or 7 may operate a bicycle on City streets during daylight hours if accompanied by an adult also on a bicycle, with child's bicycle registered in the parent's name. This is to permit family cycling.
- (3) BICYCLE COURT. There is hereby established an informal court designated as "Bicycle Court", to which court complaints for violations shall be referred where the violator is under 18 years. All violations by any person over 18 years shall be to regular adult court. Such court shall reprimand first offenders and may order written assignments of the bicycle code and shall order written assignments of the bicycle code of second offenders. For third offenders the court may, in addition, order suspension of the registration tag of such operator or bicycle owner. For flagrant or habitual violations suspensions may be up to 6 months. For all suspensions such bicycle shall be impounded and stored at the Police Station during the entire suspension. Such court shall be conducted in the nature of a police court, and the presiding officer thereof shall be such police official of the City whom the Chief of Police shall from time to time designate. Nothing herein contained shall prevent the prosecution of the offender by the regular courts including juvenile court, having jurisdiction over violations of municipal ordinances if the police court shall find itself unable to properly enforce this section as to any offender because of circumstances surrounding any particular case. Such police court shall not administer or collect any fines.
- (4) PENALTY. Any person 18 years or older who shall flagrantly and habitually violate this section shall forfeit not less than \$5.00 nor more than \$25.00, together with the costs of prosecution and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the county jail until such forfeiture and costs are paid, but not to exceed 30 days.

7.12 WATER TRAFFIC.

- (1) APPLICABILITY. This section shall apply to the area within the jurisdiction of the Algoma Police Dept.
- (2) STATE BOATING AND WATER SAFETY LAWS ADOPTED. Except as otherwise provided herein, the provisions of Chapter 30, Wis. Statutes, shall apply to the operation of boats on the navigable waters of the City and such statutes are adopted by reference and made a part hereof. A violation of such statutes shall be a violation hereof. The navigable waters of the City are hereby determined to be that water of the Ahnapee River lying within the City limits.
- (3) SPEED OF WATERCRAFT. No person driving, operating or using any power-propelled vessel, craft or float shall exceed the speed of "slow-no-wake" in the navigable waters of the City.

- (4) RECKLESS OPERATION. No person shall drive, operate or use any vessel, craft or float on the navigable waters of the City in a careless, negligent or reckless manner so as to endanger the life, property or persons of others.
- (5) LITTERING WATERS PROHIBITED. No person shall deposit, place or throw from any boat, raft, pier, platform or similar structure any cans, paper, bottles, debris, garbage, solid or liquid waste into the water of the Ahnapee River.
- (6) VIOLATION. Any person who shall violate any provision of this section shall be subject to the penalties of Chapter 30.80 Wisconsin Statutes. Any person under 18 who shall violate provisions of this section shall be dealt with according to the provisions of Chapter 48 Wis. Statutes.

7.13 CITY BOAT LAUNCH USE FEES.

- (1) No person shall use a City boat launch without paying the appropriate fee, this ordinance shall include any boat launch owned or operated by the City of Algoma.
- (2) For a person desiring to pay an annual fee, an annual launching fee will be established, which, when paid, shall be in lieu of the daily fee.
- (3) The fee amounts shall be established annually by the Harbor Commission.
- (4) This ordinance is applicable to all watercraft used or capable of being used as a means of transportation on water.
- (5) The owner of a vehicle involved in a violation of this ordinance shall be liable for the violation. It shall be no defense to a violation of this ordinance that the owner was not operating the vehicle at the time of the violation.
- (6) Funds collected from the imposition of these fees shall be utilized for the maintenance and development of City boat launching facilities.
- (7) Any person who violates Section 7.13 of the Municipal Code shall be subject to the general penalty.

| DEPOSIT | PENALTY | COSTS | JAIL ASSESS. | TOTAL |
|----------------|----------------|--------------|---------------------|--------------|
| \$50.00 | \$10.00 | \$16.00 | \$10.00 | \$86.00 |

7.14 ALL TERRAIN VEHICLES.

- (1) Section 23.33 of the Wisconsin Statutes is hereby adopted and incorporated as if fully set forth by reference.

7.15 Road Caution Signs

- (1) Placement of Road Caution Signs by Chief of Police.

Scope: In that the City, through its Police Chief (and through Chapter 12 of the Algoma City Ordinances), is vested with the authority to maintain

the public health and safety of its citizens (particularly children); and whereas the placement of caution roadway signs for the safety of the citizens is delegated to the Chief of Police, the following is declared:

- (A) The Algoma Chief of Police, or the Acting Chief of Police, may place signs on the Algoma street, alleys and roadways stating "Caution – Children at Play" or "Caution – Children" or other variations of the word "caution" for the particular circumstance with the purpose of warning those traveling on city streets to be cautious in a street zone for pedestrians.

- (B) The Chief of Police may request the signs to be placed in a particular area within the City based upon the following guidelines:
 - 1. The zone in which the sign is to be placed indicates an increased risk of pedestrians, adult or children, being in the roadway either intentionally or be inadvertence;
 - 2. From observable facts, the Chief of Police, or its agents, have determined that a roadway zone is likely to create a hazard to children or pedestrians by virtue of its proximity to residential areas, schools, playgrounds or other conditions which would lend themselves to pedestrian traffic;
 - 3. Upon petition by a citizen to the Chief of Police showing reasons consistent with these guidelines, the Chief of Police may direct a sign; however, the erection of the sign shall be considered completely discretionary;
 - 4. All existing "Caution – Children" signs which are presently within the City shall remain and not be taken down. The decision to remove such signs shall be an act of the Chief of Police and the Chief of Police shall exercise his or her judgement regarding the placement of the sign.

- (C) By the placement of a caution sign, in no way does the City create a "speed zone" for the purposes of speed regulation (or creates an area of police duty to monitor or arrest) but it is only intended to be a warning for caution to motorists in that zone.

That the Chief of Police may consult with the Persons and Property Committee regarding the placement or removal of a caution sign, however, the ultimate decision as to the placement or removal of said caution sign shall be that of the Chief of Police acting as the Public Health Officer.