

Chapter DHS 60

TRAFFIC AND CONDUCT ON STATE TREATMENT INSTITUTION PROPERTY

DHS 60.01 Traffic and conduct on state treatment institution property.

Note: Chapter HSS 60 was renumbered ch. HFS 60 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 6. and 7., Stats., Register, December, 1999, No. 528. Chapter HFS 60 was renumbered to chapter DHS 60 under s. 13.92 (4) (b) 7., Stats., and corrections made under s. 13.92 (4) (b) 7., Stats., Register November 2008 No. 635.

DHS 60.01 Traffic and conduct on state treatment institution property. (1) PURPOSE. The purpose of this section is to establish rules controlling traffic and conduct on state treatment institution property to protect the clients, employees, facilities, property and grounds of the respective institutions as authorized in s. 46.03, Stats.

(2) TO WHOM THE RULES APPLY. This section applies to all individuals employed, receiving services, residing or visiting on the property of a state treatment institution.

(3) DEFINITIONS. In this section:

(a) "Client" means resident, patient, outpatient or individual receiving treatment or training services on the property of an institution.

(b) "Department", unless qualified, means the department of health services.

(c) "Director" means the director of the Mendota mental health institute, the director of the Winnebago mental health institute, the director of central Wisconsin center for the developmentally disabled, the director of northern Wisconsin center for the developmentally disabled, and the director of southern Wisconsin center for the developmentally disabled.

(d) "Institution" means Mendota mental health institute, Winnebago mental health institute, central Wisconsin center for the developmentally disabled, northern Wisconsin center for the developmentally disabled and southern Wisconsin center for the developmentally disabled.

(e) "Road" means driveway, street, avenue, court, circle, drive and lane.

(f) "Rule" means a rule as defined in s. 227.01 (13), Stats.

(4) SECURITY OFFICERS. (a) Personnel employed by the institution as security officers shall have the power to enforce this section and shall police all properties under their prospective jurisdiction. Security officers shall have all the powers provided in s. 46.05 (2), 1977 Stats., except where powers are specifically limited or modified by the director or the department.

(b) Security officers shall wear the prescribed uniforms and shall be identified by a shield or badge bearing a number, the name of the institution and the title of the officer as designated for the respective institution. Such badge shall be conspicuously worn when enforcing this section.

(c) Personnel other than security officers may be appointed by the director to enforce this section. Appointed officers shall carry an appropriate badge as designated for their respective institution and the badge shall be conspicuously shown when enforcing this section. Officers appointed under this paragraph are not required to wear uniforms and shall be personnel performing their usual employment.

(5) MOTOR VEHICLE RULES. (a) *Operation of a motor vehicle.* 1. Any person not holding a valid and current operator's license issued under ch. 343, Stats. may not operate a motor vehicle on any road or parking lot of the institution unless exempt under the provisions of s. 343.05 (2), Stats., from the requirement that he or she hold such a license in order to operate a motor vehicle on the

highways of this state. No person may operate a motor vehicle on the grounds except on what clearly appears to be roads or parking lots.

2. No person may operate any motor vehicle on any road or parking lot of the institution unless the motor vehicle has been properly registered as provided in ch. 341, Stats., unless exempt under an applicable provision of s. 341.05, Stats., from the requirement that the vehicle be registered in order that it may be operated on the highways of this state.

3. No person may operate any motor vehicle on any driveway, roadway or parking lot of the institution which has defective equipment. The owners shall be required to have the defects repaired or proper equipment installed in order that the equipment will conform with the provisions of ch. 347, Stats.

(b) *Rules of the road.* All provisions of ch. 346, Stats., entitled "Rules of the Road", which are applicable to highways as defined in s. 340.01 (22), Stats., are adopted for the regulation of traffic on the roads under the control of the director except as follows:

1. Provisions of ch. 346, Stats., which are in conflict with any specific provision of these rules.

2. Penalty provisions of ch. 346, Stats.

3. Sections 346.61 through 346.74, Stats.

(6) PARKING. (a) Parking is prohibited at all times on the institution grounds and roads, except that the director of the institution is authorized to establish necessary parking areas on the properties under the director's jurisdiction. These include areas having parking spaces reserved for specified persons and areas as appropriate and safe for parking for specific groups at specific times, providing such areas are properly posted.

(b) Parking in any reserved parking area is prohibited to persons other than those specifically assigned to such area by the director. Motor vehicles assigned to any of the reserved parking areas may be so identified by an appropriate parking permit displayed on the vehicle as determined by the director.

(c) Motor vehicles are prohibited from backing into the designated parking stalls.

(d) Parking in any parking area reserved for the handicapped is prohibited at all times to persons other than the handicapped.

(e) Parking is prohibited at all times and places designated by the director to facilitate snow removal. Alternate areas for parking may, upon notice, be reserved to permit unimpeded movement of snow removal equipment.

(f) Parking is prohibited at all times in areas which must be kept clear for the passage of fire fighting apparatus. These areas shall be designated by the director by standard signs reading "No Parking Between Signs".

(g) Parking is prohibited at all times in areas which must be kept clear for vehicles to load and unload. Such areas shall be designated by the director by standard signs reading, "Loading Zone, No Parking" or "No Parking Between Signs".

(h) Parking is further prohibited at all times as follows:

1. In a driveway or service road.

2. In a firelane.

3. Across a line marking the outside limits of a parking stall.

4. Overtime in a zone having a maximum designated time limit for parking.

5. In a stall already occupied in whole or in part by another motor vehicle.

6. In any designated area posted as a "No Parking" zone.

7. Within 4 feet of the outside limits of any loading or unloading dock or zone.

8. Across any crosswalk.

9. Within 10 feet in any direction of a fire hydrant.

(i) Motor vehicles parked in unauthorized areas may be ticketed and towed off the premises and stored at the owner's expense for the following violations:

1. Parking in a reserved area without a permit.

2. Parking in a fire zone or firelane.

3. Parking in a loading zone or no parking zone.

4. Parking where parking is prohibited.

5. Unlicensed or partially dismantled motor vehicles.

6. Abandoned vehicles.

(7) TRAFFIC RULES. (a) As a safety measure, the maximum speed on any institution road shall be 25 miles per hour.

1. The director of each institution shall establish the specific maximum speed limit for their respective institution.

a. Lesser speed limits may be established by the director on roadways designated as "courts", "school zones", "alleys" or "circles" and at crosswalks or intersections with sidewalks.

2. The director will cause properly placed signs specifying the maximum speed limits.

(b) On the institution grounds, all vehicles shall come to a full and complete stop at all intersections posted with stop signs.

1. All vehicles shall yield the right way at intersections posted with yield signs.

2. All vehicles shall come to a full and complete stop at all intersections posted with stop for pedestrians in crosswalk signs.

(c) The director shall cause to be installed standard "Stop" signs, "Yield Right of Way" signs, "Stop for Pedestrians In Crosswalk" signs and "Right Turn No Stop" signs at intersections deemed appropriate for their respective institution.

(d) Trucking on institution roads and grounds is prohibited, except for the purpose of delivery to the institution or for construction projects. The director shall cause to be installed "No Trucks Allowed" signs at the entrance to roads on which all trucking is prohibited.

(e) No operator of a motor vehicle may overtake and pass another moving motor vehicle.

(8) PEDESTRIAN CROSSING AT AN UNCONTROLLED INTERSECTION OR CROSSWALK. (a) At an intersection or crosswalk where traffic is not controlled by traffic control signs or by a security officer, the operator of a vehicle shall yield the right of way to a pedestrian who is crossing the road within a marked or unmarked crosswalk.

(b) Whenever any vehicle is stopped at an intersection or crosswalk to permit a pedestrian to cross the roadway, the operator of any other vehicle approaching from the rear may not overtake and pass such stopped vehicle.

(9) CONSERVATION OF INSTITUTION LANDS. (a) The dumping of any waste, trash, debris, or other rubbish on any institution property is prohibited, except as may be specifically authorized by the director.

(b) The removal of any shrubs, vegetation, wood, rocks, stone, earth or other products or materials from institution property is prohibited except as may be specifically authorized by the director.

(c) The removal, destruction or molestation of any bird or animal within the boundaries of the institution property is prohibited, except as may be specifically authorized by the director to protect institution property or in cases wherein this provision conflicts with any order of the department of natural resources, when the

department is empowered to act; and in such cases of conflict the department order governs.

(d) The presence of dogs or cats is prohibited at all times, except as approved by the director.

(e) It shall be unlawful to break, tear up, mar, destroy or deface any sign, notice, tree, vine, shrub, flowers or other vegetation, or dislocate any stones or disfigure natural conditions or destroy or damage in any other way, property, real or personal, within the boundaries of institution property.

(10) CONDUCT ON INSTITUTION GROUNDS. (a) The lighting and use of fires on institution grounds is prohibited except in such places as are set aside for this purpose and appropriately designated by standard signs. It shall be unlawful to discard any burning cigarettes, cigar, pipe ashes, or other material without first extinguishing them.

(b) All canvassing, peddling, or soliciting shall be prohibited on the grounds or in buildings of the institution except as designated by department work rules, by employer-union contracts or by written approval of the director. Food and beverage concessions operated by private parties, employee groups and organizations are prohibited unless prior approval is granted in writing by the director of management services.

(c) The distribution of handbills, pamphlets and other similar materials on institution grounds or in the buildings is prohibited, except that employee organizations may be granted permission for such distribution by the director as provided for in employer-union contracts.

(d) The erection, posting, or attaching of signs in or on any buildings is prohibited, except as authorized by the director and as provided for in employer-union contracts.

(e) Smoking is prohibited in all buildings housing clients or client activities except for such areas as are designated for that purpose by the director.

(f) Walking on the roofs of institution buildings is prohibited at all times except for construction and repair purposes.

(g) The use of public address systems for advertising or other purposes upon institution property is prohibited at all times except that the director is authorized to permit the use of such equipment for special events.

(h) Possession or use of firearms on institution property, except for police and military purposes, is prohibited unless otherwise authorized by the director.

(i) Drunkenness or disorderly conduct of any kind is prohibited. The use or possession of intoxicating liquor or beer is prohibited in the institution and on institution property, except in the private quarters of employees, or as authorized by the director.

(j) Illicit possession or abuse of controlled substances is prohibited in the institution and on institution property.

(11) PICNICKING OR CAMPING ON INSTITUTION GROUNDS. (a) Picnicking is permitted on institution grounds only to clients and their relatives and friends and employees, except as authorized by the director and in such specific areas as are designated by the director to be picnic grounds. The director shall prescribe rules as to hours when picnics are permitted, the building and quenching of fires, the disposal of garbage and other refuse, and such other precautionary and safety measures as deemed necessary.

(b) Camping is prohibited on institution grounds except when written permission is granted by the director.

(12) EXCESSIVE NOISE PROHIBITED. No person on or in any institution property may cause or make any loud, excessive or unusual noise in the operation or use of any radio, television, phonograph or other mechanical or electrical sound-making or reproducing device, instrument, machine or vehicle which loud, excessive or unusual noise shall disturb the comfort, quiet, or repose of clients or employees of the institution.

(13) FISHING ON MENDOTA AND WINNEBAGO MENTAL HEALTH INSTITUTE PROPERTY. (a) It is recognized that the department does

not have the authority to forbid or restrict the use of Lake Mendota or Lake Winnebago and the shore lines to the high water line, but the department does claim authority to forbid or restrict the use of the institutes' grounds in that connection to said lakes and high water lines.

(b) Any use of the institute grounds for such ingress or egress is forbidden except for fishing. Ingress and egress shall be afforded for fishing purposes to said lakes and high water lines, but only during such hours and at such places, including parking areas in connection therewith, as shall be designated by the director of the institute. No person may have the use of the institute grounds for such ingress and egress except at the places and dur-

ing the hours so specified and posted.

(14) ADJACENT PUBLIC WAYS. No provision of this section applies to any highway as defined by s. 340.01 (22), Stats., or any street as defined by s. 340.01 (64), Stats., which traverses, skirts, or intersects any portion of institution property, except for fresh pursuit from the institution grounds.

(16) PENALTY. The penalties for violating this section are provided in s. 946.73, Stats.

History: R. and recr. from PW-MH 60.02, 60.03, 60.04 and 60.05, Register, September, 1979, No. 285, eff. 10-1-79; r. (15) under s. 13.93 (2m) (b) 16., Stats., Register, June, 1995, No. 474; **correction in (3) (b) made under s. 13.92 (4) (b) 6., Stats., Register November 2008 No. 635.**