

**COVER PAGE FOR SNOWMOBILE ORDINANCE**

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## CHAPTER 2

### SNOWMOBILES

#### **2.01 STATE SNOWMOBILE LAWS ADOPTED.**

Except as otherwise specifically provided in this chapter, the statutory provisions describing and defining regulations with respect to snowmobiles in Sections 350.02 to 350.05, 350.07 to 350.107, 350.11, 350.12, 350.13, 350.135, 350.15 to 350.17, 350.19 and 350.99, Wis. Stats., are hereby adopted by reference and made part of this section as if fully set forth herein. Any future amendments, revisions, or modifications of the Wis. Statutes incorporated herein are intended to be made part of this chapter. Acts required to be performed or prohibited by such statutes are required or prohibited by this section.

#### **2.02 APPLICABILITY OF RULES OF THE ROAD TO SNOWMOBILES.**

The operator of a snowmobile upon a roadway shall, in addition to the provisions of Ch. 350, be subject to Sections 346.04, 346.06, 346.11, 346.14(1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50(1)(b), 346.51, 346.52, 346.53, 346.54, 345.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92(1), and 346.94(1) and (9), Wis. Stats.

#### **2.03 SNOWMOBILE ROUTES AND REGULATIONS.**

##### **A. SNOWMOBILE ROUTES**

Snowmobile routes shall be designated by local snowmobile clubs in strict compliance with all applicable provision of the Wisconsin Statutes enumerated in this ordinance.

##### **B. REGULATIONS:** Snowmobile routes shall be subject to the following:

1. Travel is permitted on the extreme right hand portion of the roadway (roadway being defined as that portion between the regularly established curb lines or that portion which is improved or ordinarily used for vehicular traffic, excluding the berm or shoulder).

2. Travel shall conform to the direction of traffic in the nearest lane.

3. No person under the age of 12 years shall drive a snowmobile across any street or highway.

4. No person under the age of 16 years shall drive a snowmobile across any street or highway unless:

a) He or she holds a valid snowmobile safety certificate issued by the Wisconsin Department of Natural Resources; or

b) He or she is accompanied by a person over the age of 18 years; or

c) He or she is accompanied by a person over the age of 14 years who holds a valid snowmobile safety certificate issued by the Wisconsin Department of Natural Resources.

d) Operators of all snowmobiles shall observe all posted speed limits. No operator shall disobey the instructions of any official traffic sign or signal unless otherwise directed by a traffic officer.

#### **2.04 WRITTEN CONSENT OF OWNER REQUIRED.**

The consent required under Ch. 350.10(1)(f), (k), (l), and (m), Wis. Stats., and in Sec. 2.03 above shall be written consent dated and limited to the year in which the consent is given. If the property is owned or leased by more than one person, the consent of each must be obtained.

#### **2.05 CURFEW**

No person under the age of 16 years shall operate a snowmobile in the Town between the hours of 10:00 p.m. and 6:00 a.m. the following day unless accompanied on the vehicle by a parent, guardian, adult relative, or other adult person having actual care, custody, and control of such child.

#### **2.06 PENALTIES**

A. Any person violating any provision of 2.01, 2.02, or 2.05, shall be subject forfeiture and penalty assessment if required by Ch.165.87, Wis. Stats., a jail assessment if required by Ch. 302.46, Wis. Stats. plus any applicable fees prescribed in Ch. 814, Wis. Stats. Any forfeiture for violation of said Ordinances shall conform to the forfeiture permitted to be imposed for violation of the Statutes adopted by reference, including any variations or increases for subsequent violations.

B. Any person violating any provision of 2.03, 2.04, or 2.06 shall be subject a forfeiture at least \$20 nor more than \$2,500. In addition, the person shall be responsible for the costs of prosecution.

C. In addition, the court may order that the snowmobile operated in violation of said ordinance be impounded for a period of not less than 15 days nor more than 60 days, beginning at a date specified by the court. Impoundment may be effected by taking physical possession of the machine, or by causing the same to be immobilized and sealed by the Town for a specified period. Operating the impounded machine during the specified period contrary to the court's order shall constitute a punishable, separate, subsequent violation of said ordinance.

D. In default of the immediate payment of any forfeiture and the costs of prosecution any person convicted of a violation of this chapter shall be committed to the Brown County Jail until such forfeiture and costs are paid. Every commitment shall limit the duration of such imprisonment to a definite term not exceeding 90 days.

**2.07 ENFORCEMENT.** The Police Department and/or any law enforcement officer having jurisdiction may enforce any provision of this chapter.

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