

CHAPTER 3

Snowmobiles

- 10-3-1 State Snowmobile and All-Terrain Vehicles Laws Adopted
- 10-3-2 Applicability of Traffic Regulations to Snowmobiles
- 10-3-3 Unattended Vehicles
- 10-3-4 Operation on Sidewalks Prohibited
- 10-3-5 Snowmobile Routes and Trails Designated
- 10-3-6 Penalty
- 10-3-7 Enforcement

SEC. 10-3-1 STATE SNOWMOBILE AND ALL-TERRAIN VEHICLES LAWS ADOPTED.

Except as otherwise specifically provided in this Chapter, the statutory provisions describing and defining regulations with respect to snowmobiles in the following enumerated sections of the Wisconsin Statutes are hereby adopted by reference and made part of this Chapter as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required or prohibited by this Chapter. Any future amendments, revisions or modifications of the Statutes incorporated herein by reference are intended to be made part of this Code.

- 350.01 Definitions
- 350.02 Operation of Snowmobiles on or in the Vicinity of Highways
- 350.03 Right-of-Way
- 350.04 Snowmobile Races, Derbies and Routes
- 350.045 Public Utility Exemption
- 350.047 Local Utility Exemption
- 350.05 Operation by Youthful Operators Restricted
- 350.055 Safety Certification Program Established
- 350.06 Firearms and Bows
- 350.07 Driving Animals
- 350.08 Owner Permitting Operation
- 350.09 Head Lamps, Tail Lamps and Brakes, Etc.
- 350.10 Miscellaneous Provisions for Snowmobile Operation
- 350.12 Registration of Snowmobiles
- 350.125 Completion of Application for Registration by Snowmobile Dealers
- 350.13 Uniform Trail Signs and Standards
- 350.15 Accidents and Accident Reports
- 350.17 Enforcement
- 350.18 Local Ordinances
- 350.19 Liability of Landowners
- 350.99 Parties to a Violation

SEC. 10-3-2 APPLICABILITY OF TRAFFIC REGULATIONS TO SNOWMOBILES.

No person shall operate a snowmobile upon any street, highway or alley within the Village of Nichols in violation of the traffic regulation provisions of 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, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92(1) and 346.94(1), (6), (6m) and (9), Wis. Stats.

SEC. 10-3-3 UNATTENDED VEHICLES.

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.

SEC. 10-3-4 OPERATION ON SIDEWALKS PROHIBITED.

No person shall operate a snowmobile upon any sidewalk, pedestrian way or upon the area between the sidewalk and the curb line of any street in the Village, except as specifically authorized by Section 10-3-5 or for the purpose of crossing to obtain immediate access to an authorized area of operation.

SEC. 10-3-5 SNOWMOBILE ROUTES AND TRAILS DESIGNATED.

- (a) **Routes Designated.** Except as provided in Sections 350.02 and 350.045 of the Wisconsin Statutes, or for snowmobile events authorized in accordance with Section 350.04, Wis. Stats., no person shall operate a snowmobile upon any public right-of-way, in any public park, or on any other public municipal property in the Village except upon designated snowmobile trails approved by resolution of the Village Board, on file with the Village Clerk.
- (b) **Trail Markers.**
- (1) Authorized snowmobile clubs shall be responsible for procuring, erecting and maintaining all necessary signs on all approved routes.
 - (2) The Village President shall have the power to declare the stated snowmobile routes and trails either open or closed.
- (c) **Markers to be Obeyed.** No person shall fail to obey any route or trail sign, marker or limit erected in accordance with this Section.

Cross Reference: Section 10-4-2.

SEC. 10-3-6 PENALTY.

Any person who shall violate any provision of this Chapter shall, upon conviction thereof, forfeit not less than Twenty Dollars (\$20.00) and not more than Five Hundred Dollars (\$500.00), together with the costs of prosecution, and, in default of payment thereof, may be imprisoned in the county jail for not exceeding ten (10) days, provided no person shall forfeit an amount in excess of the maximum fine or forfeiture allowed in the Wisconsin Statutes for the same offense and further provided that the penalty and forfeiture for parking violations on highways shall be the amount

applicable to such violations by owners or operators of motor vehicles under Title 10, Chapter 1, of this Code of Ordinances.

SEC. 10-3-7 ENFORCEMENT.

- (a) **Uniform Citation for Highway Violations.** The uniform traffic citation promulgated under Sec. 345.11, Wis. Stats., shall be used for violations of this Chapter relating to highway use except as herein provided.
- (b) **Parking Violations.** The special traffic citation described and defined in Title 10, Chapter 1, of this Code of Ordinances shall be used for enforcement of violations of rules of the road relating to parking of vehicles adopted by reference in Section 10-3-1 of this Chapter.
- (c) **Other Violations.** All violations of this Chapter not described in Subsections (a) or (b) shall be enforced in accordance with Sections 66.12 and 66.114 of the Wisconsin Statutes. Stipulations of guilt or no contest may be made as provided in Sec. 66.12(1)(b), Wis. Stats., in substantially the form provided in the uniform traffic citation within five (5) days of the date of the citation for such violation. Bail deposits may also be made under Sec. 66.12, Wis. Stats.
- (d) **Forfeited Penalties and Deposits.** Except as otherwise provided in Sec. 345.26, Wis. Stats., and the deposit schedule adopted by the State Board of Circuit Court Judges thereunder, required penalties and deposits or bail not including costs or fees for violation of this Chapter shall be as established by the schedule adopted by the Village Board.

CHAPTER 4

All-Terrain Vehicles and Off-Road Motor Vehicle Operation

- 10-4-1 State All-Terrain Vehicle Laws Adopted
- 10-4-2 Unauthorized Operation of Motor Vehicles on Public or Private Property
- 10-4-3 Mini-Bikes and Self-Propelled Vehicles Regulated

SEC. 10-4-1 STATE ALL-TERRAIN VEHICLE LAWS ADOPTED.

The provisions describing and defining regulations with respect to all-terrain vehicles in the following-enumerated Subsections of Sec. 23.33, Wis. Stats., and any future amendments or revisions, are hereby adopted by reference and made part of this Section as if fully set forth herein. The statutory sections adopted by reference herein shall be designated as part of this Code by adding the prefix "10-4-1-" to each statute section number. Any acts required to be performed by the following Statutory Subsections or which are prohibited by such Statutory Subsections are required to be performed by this Section or are prohibited by this Section:

- 23.33(2) Registration
- 23.33(3) Rules of operation [including Subsections (a) through (i)]
- 23.33(4) Operation on or near highway [including Subsections (a) through (e)]
- 23.33 7 23.33 Age restrictions
- 1
23.33151(a)(c) Equipment requirements [including Subsections (a) through (e)]
Accidents [including Subsections (a) and (b)]
- 23.33 6 Definitions [including Subsections (a) through (n)]

SEC. 10-4-2 UNAUTHORIZED OPERATION OF MOTOR VEHICLES ON PUBLIC OR PRIVATE PROPERTY.

(a) Purpose.

- (1) The unauthorized off-road operation of motor vehicles has resulted in serious damage to public and private lands including damage or destruction of vegetation, animal life and improvement to the lands; and
- (2) The unauthorized off-road operation of motor vehicles has resulted in the permanent scarring of land and an increase in both erosion and air pollution; and
- (3) The unauthorized off-road operation of motor vehicles has resulted in collisions and near collisions threatening the life and safety of the operators of such vehicles as well as of other persons; and
- (4) The unauthorized off-road operation of motor vehicles has resulted in a loss of the privacy, quietude and serenity to which the owners and users of land are rightfully entitled.

(b) Definitions. For purposes of this Section, the terms below shall be defined as follows:

- (1) Unauthorized shall mean without the express prior consent of the owner, lessee, manager or other person authorized to give consent by the owner or lessee of land. Authorization shall not be implied from a failure to post private or public land.