

**TOWN OF DUNN**

**ORDINANCE NO. 19-3**

**AN ORDINANCE CREATING CHAPTER 19-3  
OF THE GENERAL CODE OF ORDINANCES**

The Town Board of the Town of Dunn, Dane County, Wisconsin does ordain that Chapter 19-3 of the General Code of Ordinances, entitled SNOWMOBILES be and the same is hereby created to read as follows:

## **CHAPTER 19-3 Snowmobiles**

19-3-1	State snowmobile laws adopted
19-3-2	Applicability of traffic regulations to snowmobiles
19-3-3	Speed; equipment
19-3-4	Unattended vehicles
19-3-5	Operation on sidewalks prohibited
19-3-6	Snowmobile and other off-highway vehicle operation restricted
19-3-7	Snowmobile routes and trail designated
19-3-8	Penalty
19-3-9	Enforcement

### **SEC. 19-3-1 STATE SNOWMOBILE 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 ordinance to be filed.
350.05	Operation by youthful operators restricted.
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
350.101-	(inclusive) relating to intoxicated snowmobiling.
350.107	
350.11	Penalties.
350.12	Registration of snowmobiles.

350.13	Uniform trail signs and standards.
350.135	Interferences with uniform trail signs and standards prohibited.
350.15	Accidents and accident reports.
350.155	Coroners and medical examiners to report; Require blood specimen.
350.17	Enforcement.
350.19	Liability of landowners.
350.99	Parties to a violation.

### **SEC. 19-3-2 APPLICABILITY OF TRAFFIC REGULATIONS TO SNOWMOBILES.**

No person shall operate a snowmobile upon any street, highway or alley within the Town of Dunn 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), and (9), Wis. Stats.

### **SEC. 19-3-3 SPEED; EQUIPMENT.**

- (a) **Speed.** On town property where snowmobile use is allowed no person shall operate a snowmobile in excess of twenty (20) miles per hour or as posted.
- (b) **Restriction of Equipment.** No person may operate a snowmobile or other vehicle on a snowmobile route if it has an expansion chamber or any muffler other than the type and size provided by the manufacturer. Each snowmobile must display a lighted headlight and taillight at all times and said lights must conform to the requirements of Section 350.09 of the Wisconsin Statutes.

### **SEC. 19-3-4 UNATTENDED VEHICLES.**

No person shall leave or allow a snowmobile owned or operated by him/her to remain unattended on a public highway or public property while the motor is running or with the starting key left in the ignition.

### **SEC. 19-3-5 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 Town, except as specifically authorized by Section 19-3-6 or for the purpose of crossing to obtain immediate access to an authorized area of operations.

### **SEC. 19-3-6 SNOWMOBILE AND OTHER OFF-HIGHWAY VEHICLE OPERATION RESTRICTED.**

- (a) **Operation on Public Property.** Except as otherwise permitted by this Code of Ordinances, it shall be unlawful to operate any snowmobile or any other motor-driven craft or vehicle principally manufactured for off-highway use on the town roads, alleys, greenways, parks, parking lots, or any town property. The operator shall at all times have the express consent of the owner before operation of such craft or vehicle on public or private property not owned or controlled by him.
- (b) **Operation in Parks.** No person shall drive a snowmobile in any park within the Town except upon designated snowmobile trails as shall be designated by the Town Parks Commission.
- (c) **Written Consent of Owner Required.** The consent required under Sec. 350.10(6), (11), (12), and (13), Wis. Stats., and Subsection (a) above shall be written consent dated and limited to the season in which the consent is given. If the property is owned or leased by more than one (1) person, the written consent of each must be obtained.

### **SEC. 19-3-7 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 Sec. 350.04, Wis. Stats., no person shall operate a snowmobile upon any public right-of-way, in any public park or on any other town property except upon snowmobile routes and trails designated by the Town Board. The designated routes to be used within the Town shall be recommended by the Parks Commission, adopted by the Town Board, a copy of which shall be on file with the Town Clerk-Treasurer.
- (b) **Trail Markers.** The Highway Foreman or Chief of Police shall approve the placement of appropriate snowmobile route, trail, and limit signs, and markers as approved by the State Department of Natural Resources under Sec. 350.13, Wis. Stats. The Chief of Police shall have the power to declare the state 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.

### **SEC. 19-3-8 PENALTY.**

Any person who shall violate any provision of this chapter for which there is no other penalty provision shall, upon conviction thereof, forfeit not less than Fifty Dollars (\$50.00) or not more than Five Hundred Dollars (\$500.00), together with the costs of prosecution, and, in default or 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 for parking violations on highways shall be the amount applicable to such violations by owners or operators of motor vehicles under Chapter 19 of this Code of Ordinances.

### **SEC. 19-3-9 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 Chapter 19 of this Code of Ordinances shall be used for enforcement of violations or rules of the road relating to parking of vehicles adopted by reference in Section 19-3-1 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 and 66.114 of the Wisconsin Statutes. Stipulations of guilt or no contest may be made in Sec. 66.12(1)(b), Wis. Stat., 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. Stat. Such deposits shall include a Three Dollar (\$3.00) Clerk's fee and costs of prosecutions.
- (d) **Police Department to Receive Stipulations and Penalties.** Stipulations, forfeited penalties and deposits for obtaining release from arrest authorized under this Chapter may be accepted at the Police Department offices by the Chief or officer designated by him. The officer authorized to accept penalties and deposits shall be bonded and such bond shall be filed with the Town Clerk-Treasurer.
- (e) **Forfeited Penalties and Deposits.** Except as otherwise provided in Sec. 345.26, Wis. Stat., 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 a schedule adopted by the Town Board.

The above and foregoing ordinance was duly adopted by the Town Board of the Town of Dunn at a regular meeting held on the 19th day of September, 1995.

APPROVED:

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Edmond P. Minihan, Chairman

ATTESTED:

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Rosalind Gausman, Clerk