

Chapter 10.16

SNOWMOBILES AND ALL-TERRAIN VEHICLES

Sections:

10.16.010 Snowmobiles--State provisions adopted.

10.16.020 Snowmobile regulations generally.

10.16.030 Operation of snowmobiles and certain other vehicles.

10.16.040 All-terrain vehicles--State provisions adopted.

10.16.050 Operating through or upon open waters of ice-bound lakes or rivers prohibited.

10.16.010 Snowmobiles--State provisions adopted.

Except as otherwise specifically provided in this chapter, all provisions of Chapter 350, Wis. Stats., describing and defining regulations with respect to snowmobiles for which the penalty is a forfeiture only, including penalties to be imposed and procedures for prosecution, are adopted and by reference made a part of this chapter as if fully set forth. Any act required to be performed or prohibited by any statute incorporated into this chapter by reference is required or prohibited by this chapter. Any future amendments, revisions or modifications of statutes incorporated in this chapter are intended to be made a part of this chapter in order to secure uniform statewide regulation of snowmobiles. (Ord. dated 1/13/86: prior code § 7.01(3))

10.16.020 Snowmobile regulations generally.

A. No person shall operate or ride a snowmobile or all terrain vehicle on Brown Lake or Bohners Lake between ten-thirty

p.m. of any day and seven a.m. of the subsequent day, except to cross a lake by direct route at a speed not in excess of ten miles per hour, provided, that the hours of limited operation shall be one a.m. to seven a.m. on Saturday and Sunday, on Christmas Eve and on New Year's Eve.

B. No person shall operate or ride a snowmobile on Browns Lake or Bohners Lake at any time when less than one inch of snow covers the ice. The town board may, by resolution, prohibit snowmobiling on Browns Lake and Bohners Lake whenever it deems such activity inappropriate for any other reason.

C. No person shall operate a snowmobile in the town in a contest of speed or maneuverability unless such contest is authorized by the town board.

D. No person shall leave a snowmobile running while unattended. Both the owner and operator of a vehicle shall be responsible for compliance with the provisions of this section, and the forfeiture and penalty provisions shall apply to the owner of the vehicle when, with reasonable diligence, it is impossible to ascertain the actual operator of the vehicle.

E. No person shall park or leave standing any snowmobile unless the key for such ignition is removed. Both the owner and the operator of a vehicle shall be responsible for compliance with the provisions of this section and the forfeiture and penalty provisions shall apply to the owner of the vehicle when, with reasonable diligence, it is impossible to ascertain the actual operator of the vehicle. (Prior code § 7.08)

10.16.030 Operation of snowmobiles and certain other vehicles.

A. Trespass to Private Property. No person shall enter upon the land of another, whether such land is posted, fenced or cultivated, for the purpose of hunting,

fishing, snowmobiling, camping or for any other type of recreational activity, unless he has first secured permission from the land owner, lessee, person or entity legally entitled to possession thereof.

B. Obedience to Signs and Signals of Enforcement Officers--Fleeing from Officer.

1. No person, while operating a snow vehicle, trail bike, minibike, ATV or motorboat, after having received a visual or audible signal from an enforcement officer or marked enforcement vehicle, shall knowingly flee or attempt to elude any enforcement officer by wilful or wanton disregard of such signal so as to interfere with or endanger the operation of the enforcement vehicle or the enforcement officer or other vehicles, nor shall he increase the speed of his vehicle or extinguish the lights of his vehicle in an attempt to elude or flee. (Prior code § 9.18)

10.16.040 All-terrain vehicles--State provisions adopted.

A. Except as otherwise specifically provided in this chapter, all the provisions of Section 23.33, Wis. Stats., describing and defining regulations with respect to all-terrain vehicles for which the penalty is a forfeiture only, including penalties to be imposed and procedures for prosecution, are adopted and by reference made a part of this chapter as if fully set forth. Any act required to be performed or prohibited by any statute incorporated into this chapter by reference is required or prohibited by this section. Any future amendments, revisions, or modifications of said section of the State Statutes incorporated into this chapter are intended to be made a part of this section with the same force and effect as if originally adopted, in order to secure uniform state wide regulation of all-terrain vehicles.

B. No person shall operate an all-terrain vehicle on any town shorelines, roadways,

town parks, state property, state and county snowmobile trails, or on private property without the consent of the owner of such property.

C. The penalty provision for violation of this section shall be as provided in Chapter 1.20 of this code. (Ord. dated 1988: prior code § 7.17)

10.16.050 Operating through or upon open waters of ice-bound lakes or rivers prohibited.

A. Statement of Public Policy. It is a public policy of the town to prevent the operation of self-propelled vehicles, during the winter months of each year over, through, or upon open waters of an ice-bound lake or river. The town board has determined that it is a dangerous practice to operate any type of a vehicle from the ice-covered portion of such lake or river into or upon the non-frozen open waters of such lake or river. Such practice creates danger for the participant and danger to those who must rescue the participant from having entered into the open waters of the lake or river.

B. Prohibition. No person shall operate a snowmobile, all-terrain vehicle, or any other self-propelled vehicle through, upon, or into the open waters of an otherwise ice-bound lake or river situated within the town.

C. Penalty. Any person violating the terms and provisions of this section shall be subject to the penalties set forth in Chapter 1.20 of this code. (Ord. dated 1/89: prior code § 20.19)

10.16.050