

CHAPTER 7

Snowmobiles and All-Terrain Vehicles

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SEC. 9-7-1 STATE SNOWMOBILE AND ALL-TERRAIN VEHICLES LAWS ADOPTED.

- (a) **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:

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
350.05	Operation by Youthful Operators Restricted
350.06	Firearms 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
350.101	Intoxicated Snowmobiling
350.104(5)	Refusals
350.12	Registration of Snowmobiles
350.13	Uniform Trail Signs and Standards

- 350.135 Interference with Uniform Trail Signs and Standards
- 350.15 Accidents and Accident Reports
- 350.17 Enforcement
- 350.99 Parties to a Violation

(b) **State All-Terrain Vehicle Laws Adopted.** The provisions describing and defining regulations with respect to all-terrain vehicles in the following- enumerated Subsections of Section 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. 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 (j)]
- 23.33(4) Operation On or Near Highway [including Subsections (a) through (e)]
- 23.33(4c) Intoxicated Operation
- 23.33(5) (a) (c) Age Restrictions
- 23.33(6) Equipment Requirements [including Subsections (a) through (e)]
- 23.33(7) Accidents [including Subsections (a) & (b)]
- 23.33(1) Definitions [including Subsections (a) through (n)]

SEC. 9-7-2 APPLICABILITY OF TRAFFIC REGULATIONS.

No person shall operate a snowmobile or all-terrain vehicle upon any street, highway or alley within the City of Thorp 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. 9-7-3 SPEED; HOURS OF OPERATION; EQUIPMENT.

- (a) **Speed.** No person shall operate a snowmobile or all-terrain vehicle designated in Section 9-3-6 of this Chapter at a speed in excess of ten (10) miles per hour.
- (b) **Hours of Operation Restricted.** Except on a designated trail, no person shall operate a snowmobile or all-terrain vehicle anywhere within the City between the hours of 1:00 a.m. and 7:00 a.m., except for returning home via the most direct route.
- (c) **Restriction on Equipment.** No snowmobile or all-terrain vehicle operating on the snowmobile route shall be allowed if it has no expansion chamber or 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. 9-7-4 UNATTENDED VEHICLES.

No person shall leave or allow a snowmobile or all-terrain vehicle 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. 9-7-5 OPERATION ON SIDEWALKS PROHIBITED.

No person shall operate a snowmobile or all-terrain vehicle upon any sidewalk, pedestrian way or upon the area between the sidewalk and the curb line of any street in the City, except as specifically authorized by Section 9-7-6 or for the purpose of crossing to obtain immediate access to an authorized area of operation.

SEC. 9-7-6 SNOWMOBILE AND OTHER OFF-HIGHWAY VEHICLE
OPERATION RESTRICTED.

- (a) **Permitting Operation by Improper Persons Prohibited.** No owner or person having charge or control of a snowmobile or all-terrain vehicle shall authorize or permit any person to operate such snowmobile who is not permitted under state law to operate such snowmobile or who is under the influence of an intoxicant or a dangerous narcotic drug.

- (b) **Written Consent of Owner Required.** The consent required under Section 350.10(6), (11), (12) and (13), Wis. Stats, and in Subsection (a) 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 (1) person, the consent of each must be obtained.

SEC. 9-7-7 SNOWMOBILE AND ALL-TERRAIN VEHICLE 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 City except upon snowmobile routes, trails and streets designated below:
It shall be lawful to operate snowmobiles or all-terrain vehicles as herein provided, but solely for the purpose of reaching by the most direct route, available areas outside the City of Thorp or areas therein, wherein snowmobiles or all-terrain vehicles are authorized to be operated, marked as snowmobile routes and all alleys leading to the marked snowmobile routes: The routes should be as outlined on the attached map and described as follows:
 - (b) **Trail Markers.** The Police Department is directed and authorized to procure, erect and maintain appropriate snowmobile route, trail and limit signs and markers as approved by the State Department of Natural Resources under Section 350.13, Wis. Stats. The Chief of Police shall have the power to declare the stated snowmobile routes and trails either opened 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.
 - (d) After the adoption of an ordinance designating a highway as a snowmobile route, or regulating snowmobiles, the City Clerk shall send a copy of the ordinance to the Department of Natural Resources and to the office of the law enforcement agency of the county and municipality having jurisdiction.

SEC. 9-7-8 PENALTY.

Forfeitures for violations of any snowmobile or all-terrain vehicle regulation shall conform to the penalty permitted to be imposed for violations of the comparable Wisconsin Statute, including any variations or increases for subsequent offenses; provided, however, that this Section shall not be construed to permit prosecution under this Chapter for any offense for which imprisonment may be imposed on the defendant under the Wisconsin Statutes. Any person violating any other provision of this Ordinance shall, upon conviction, forfeit not less than \$20.00 and not more than \$500.00 together with the costs of prosecution.

SEC. 9-7-9 ENFORCEMENT.

- (a) **Uniform Citation for Highway Violations.** The uniform traffic citation promulgated under Section 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 9, 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 9-3-1 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 Section 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 violations. Bail deposits may also be made under Section 66.12, Wis. Stats. Such deposits shall include the Three Dollars (\$3.00) Clerk's fee and costs of prosecution.
- (d) **Forfeited Penalties and Deposits.** Except as otherwise provided in Section 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 Common Council.