

CHAPTER 2

Snowmobiles

- § 8-2-1 State Snowmobile Laws Adopted
- § 8-2-2 Applicability of Traffic Regulations to Snowmobiles
- § 8-2-3 Speed
- § 8-2-4 Unattended Vehicles
- § 8-2-5 Operation on Sidewalks Prohibited
- § 8-2-6 Snowmobile and Other Off-Highway Vehicle Operation Restricted
- § 8-2-7 Restriction on Operators
- § 8-2-8 Snowmobile Routes and Trails Designated
- § 8-2-9 Penalty
- § 8-2-10 Enforcement

SEC. 8-2-1 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 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. 8-2-2 APPLICABILITY OF TRAFFIC REGULATIONS TO SNOWMOBILES.

No person shall operate a snowmobile upon any street, highway or alley within the Village of St. Cloud 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. 8-2-3 SPEED.

No person shall operate a snowmobile upon any public highway within the Village at a speed in excess of fifteen (15) miles per hour. No person shall operate a snowmobile on any trail designated in Section 8-2-9 of this Chapter or in any public park or recreation area at a speed in excess of the posted limit.

SEC. 8-2-4 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. 8-2-5 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 Village, except as specifically authorized by Sec. 8-2-8 or for the purpose of crossing to obtain immediate access to an authorized area of operation.

SEC. 8-2-6 SNOWMOBILE AND OTHER OFF-HIGHWAY VEHICLE OPERATION RESTRICTED.

- (a) OPERATION ON PRIVATE PROPERTY. It shall be unlawful to operate any snowmobile or any other motor-driven craft or vehicle principally manufactured for off-highway use on the Village streets, alleys, parks, parking lots, or on any public lands or private lands or parking lots held open to the public. The operator shall at all times have the express consent of the owner before operation of such craft or vehicle on private property not owned or controlled by him.
- (b) PERMITTING OPERATION BY IMPROPER PERSONS PROHIBITED. No owner or person having charge or control of a snowmobile 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 or narcotic drug.
- (c) OPERATION WHILE UNDER INFLUENCE PROHIBITED. Sec. 346.63, Wis. Stats., shall apply to the operation of a snowmobile any place within the Village.

SEC. 8-2-7 RESTRICTIONS ON OPERATORS.

- (a) No person under the age of twelve (12) years may operate a snowmobile. No person over the age of twelve (12) years but under the age of sixteen (16) years may operate a snowmobile unless he holds a valid snowmobile safety certificate or is accompanied by a person over eighteen (18) years of age or by a person over fourteen (14) years of age having a snowmobile safety certificate issued by the Department of Natural Resources.
- (b) No person shall operate any snowmobile upon any street, alley or other public right-of-way in the Village unless such person shall have a valid motor vehicle operator's license or unless such operator is accompanied by a person who has a valid motor vehicle operator's license and who is occupying a seat on the vehicle.

SEC. 8-2-8 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 snowmobile routes and trails designated by the Village Board. A description of such designated routes shall be kept on file with the Clerk-Treasurer.
- (b) DECLARING TRAILS CLOSED. 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.

SEC. 8-2-9 PENALTY.

Any person who shall violate any provision of this Chapter shall upon conviction thereof forfeit not more than Five Hundred (\$500.00) Dollars together with the costs of prosecution and in default of payment thereof may be imprisoned in the county jail for not exceeding ninety (90) 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 8, Chapter 1 of this Code of Ordinances.

SEC. 8-2-10 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 8, 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 8-2-1 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. Such deposits shall include a Two (\$2.00) Dollars Clerk's fee and costs of prosecution.

- (d) **CLERK OF CIRCUIT COURT TO RECEIVE STIPULATIONS AND PENALTIES.** Stipulations, forfeited penalties and deposits for obtaining release from arrest authorized under this Chapter may be accepted by the Clerk of Circuit Court.
- (e) **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 forfeited 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.