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ORDINANCE NO. 5, SERIES 2023

AN ORDINANCE TO RECREATE CHAPTER 3, TITLE 8 OF  
THE VILLAGE CODE OF ORDINANCES – SNOWMOBILES

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The Village Board for the Village of Prairie du Sac do ordain as follows:

SECTION I Chapter 3 “Snowmobiles” of Title 8 “Motor Vehicles and Traffic” of the Code of Ordinances of the Village of Prairie du Sac be and hereby repealed in its entirety and recreated to read as provided for in Exhibit 1 attached hereto and incorporated herein.

SECTION II This Ordinance shall take effect upon its adoption and publication in the manner provided for by law.

Adopted this 27<sup>th</sup> day of June, 2023.  
Published this 13<sup>th</sup> day of July, 2023.

Village of Prairie du Sac, WI

A handwritten signature in black ink, appearing to read "Andrew Strathman", written over a horizontal line.

Andrew Strathman  
Village President



A handwritten signature in black ink, appearing to read "Niki Conway", written over a horizontal line.

Niki Conway  
Village Clerk

CHAPTER 3

Snowmobiles

- § 8-3-1 State Snowmobile Laws Adopted
- § 8-3-2 Penalty
- § 8-3-3 Enforcement
- § 8-3-4 Snowmobile routes and trails designated
- § 8-3-5 Additional regulations

SEC. 8-3-1 STATE SNOWMOBILE LAWS ADOPTED.

(a) Except as otherwise specifically provided in this section, the statutory provisions describing and defining regulations with respect to snowmobiles in the following enumerated sections of the Wisconsin Statutes are adopted by reference and made a part of this section as if fully set forth in this section. Acts required to be performed or prohibited by such statutes are required or prohibited by this section.

Wisconsin Statutes Section	Description
346.02(10)	Applicability of rules of road to snowmobiles.
350.01	Definitions.
350.02	Operation of snowmobiles on or in the vicinity of a highway.
350.03	Right-of-way.
350.04	Snowmobile races, derbies and routes.
350.045	Public utility exemptions.
350.05	Operation by youthful operators restricted.
350.055	Safety certification program established.
350.07	Driving animals.
350.08	Owner permitting operating.
350.09	Headlamps, taillamps and brakes.
350.10	Miscellaneous provisions for snowmobile operation.
350.12	Registration of snowmobiles.
350.13	Uniform trail signs and standards.
350.15	Accidents and accident reports.
350.17	Enforcement.
350.19	Liability of landowners.
350.101	Intoxicated snowmobiling.

350.102	Preliminary breath screening test.
350.1025	Application of intoxicated snowmobiling law.
350.103	Implied consent.
350.104	Chemical tests.
350.106	Report arrest to department.
350.107	Officer's action after arrest for operating a snowmobile while under the influence of intoxicant.

- (b) The adoption of Wis. Stats. § 346.02(10) by reference is intended to include the rules of the road therein enumerated which are as follows: Wis. Stats. §§ 346.04, 346.06, 346.11, 346.14(1), 346.18—346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46—346.48, 346.50(1)(b), 346.51—346.55, 346.87—346.91, 346.92(1), 346.94(1) and 346.94(9).

Sec. 8-3-2      PENALTY.

Any person who shall violate any provision of this chapter shall, upon conviction thereof, forfeit not more than \$200.00, together with the costs of prosecution, and in default of payment thereof, may be imprisoned in the county jail for not exceeding 90 days, provided no person shall forfeit an amount in excess of the maximum forfeiture allowed in statute 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 this chapter.

Sec. 8-3-3      ENFORCEMENT.

- (a) *Uniform citation for highway violations.* The uniform traffic citation promulgated under Wis. Stats. § 345.11 shall be used for violations of this article relating to highway use, except as provided in this article.
- (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 8-3-1 of this Chapter.
- (c) *Other violations.* All violations of this article not described in subsections (a) and (b) of this section shall be enforced in accordance with Wis. Stats. §§ 66.0111, 66.0114 and Wis. Stats. ch. 300. Stipulations of guilt or no contest may be made as provided in Wis. Stats. § 66.0114(1)(b), in substantially the form provided in the uniform traffic citation within five days of the date of the citation for such violation. Bail deposits may also be made under Wis. Stats. § 66.0114.
- (d) *Police department to receive stipulations, penalties and deposits.* Stipulations, forfeited penalties, and deposits for obtaining release from arrest authorized under this article may be accepted at the village police department offices by the chief of police or an officer designated by the chief.

Sec. 8-3-4      SNOWMOBILE ROUTES AND TRAILS DESIGNATED.

- (a) Except as provided in Wis. Stats. § 350.02, or for snowmobile events authorized in accordance with Wis. Stats. § 350.04, 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. The snowmobile club requesting the route 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 Wis. Stats. § 350.13.

- (b) No person shall fail to obey any route or trail sign, marker or limit erected in accordance with this section.
- (c) No person shall drive a snowmobile on private or public property other than a designated route or trail without first having received written permission from the property owner. Consent shall be dated and limited to the year in which the consent is given. If the property is owned by more than one owner, the consent of all the property owners shall be necessary.
- (d) The chief of police or his/her designee shall have the power to declare the stated snowmobile routes and trails either open or closed.

Sec. 8-3-5      ADDITIONAL REGULATIONS.

- (a) *Speed.* No person shall operate a snowmobile upon any public highway within the village at a speed in excess of 15 miles per hour. No person shall operate a snowmobile on any trail designated in Section 8-3-4 or in any public park or recreation area at a speed in excess of the posted limit. In the absence of a posted limit, the limit shall be 25 miles per hour.
- (b) *Unattended snowmobiles.* No person shall leave or allow a snowmobile to remain unattended on any public highway or public property while the motor is running or with the starting key in the ignition.
- (c) *Operation on sidewalks and malls prohibited.* No person shall operate a snowmobile on any sidewalk, bike path, pedestrian way or mall, or between the sidewalk and curb line of any street within the village, except as authorized by Section 8-3-4 or for the purpose of crossing to obtain immediate access to an authorized area of operation.
- (d) *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 reasonably appears to be under the influence of an intoxicant or a dangerous or narcotic drug.
- (e) *Restrictions on Operators.* 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.
- (f) *Accidents and Accident Reports.* If the snowmobile accident results in death or injury to any person or total property damage which reasonably appears to be in excess of Two Hundred (\$200) Dollars, every operator of a snowmobile involved in such accident shall, as soon as possible, notify the Police Department of the accident and shall, within ten (10) days after the accident, file a written report thereof with the department on forms prescribed by it. If the operator of a snowmobile is physically incapable of making the report required by this Section and there was another occupant in the snowmobile at the time of the accident capable of making the report, he shall make such report. "Snowmobile Accident" means a collision, accident or other casualty involving a snowmobile.