

Chapter 294

SNOWMOBILES

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| <p>§ 294-1. State snowmobile laws adopted.</p> <p>§ 294-2. Applicability of traffic regulations.</p> <p>§ 294-3. Speed.</p> <p>§ 294-4. Unattended vehicles.</p> <p>§ 294-5. Operation on sidewalks prohibited.</p> | <p>§ 294-6. Snowmobile and other off-highway vehicle operation restricted.</p> <p>§ 294-7. Operator restrictions.</p> <p>§ 294-8. Accidents and accident reports.</p> <p>§ 294-9. Violations and penalties.</p> <p>§ 294-10. Enforcement.</p> |
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[HISTORY: Adopted by the Village Board of the Village of Black Creek as Title 8, Ch. 3, of the 1987 Village Code. Amendments noted where applicable.]

§ 294-1. 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
350.055	Safety certification program established ¹
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

¹ Editor's Note: The entry for § 350.06, Firearms and bows, which immediately followed this subsection, was repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

350.12	Registration of snowmobiles; trail use stickers
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

§ 294-2. Applicability of traffic regulations. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

No person shall operate a snowmobile upon any street, highway or alley within the Village in violation of the traffic regulation provisions of §§ 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.

§ 294-3. Speed. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

No person shall operate a snowmobile on any trail designated in § 294-6E of this chapter or in any public park or recreation area at a speed in excess of the posted limit.

§ 294-4. Unattended vehicles.

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

§ 294-5. Operation on sidewalks prohibited.

No person shall operate a snowmobile upon any sidewalk or pedestrianway or upon the area between the sidewalk and the curblin of any street in the Village except for the purpose of crossing to obtain immediate access to an authorized area of operation.

§ 294-6. Snowmobile and other off-highway vehicle operation restricted.

- A. Operation on private property. The operator of any snowmobile or any other motor-driven craft or vehicle principally manufactured for off-highway use shall at all times have the express consent of the owner before operation of such craft or vehicle on private property not owned 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. Section 346.63, Wis. Stats., shall apply to the operation of a snowmobile any place within the Village.
- D. Written consent of owner required. The consent required under § 350.10(1)(f), (k), (L) and (m), 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 person, the consent of each must be obtained.
- E. Operation on public lands. It shall be unlawful to operate any snowmobile or any other motor-driven craft or vehicle principally manufactured for off-highway use on any Village streets, alleys, parks, or parking lots unless designated as a trail by the Village Board. These designated trails shall be reviewed on a yearly basis, at which time they will be posted and made known to the Police Department and local snowmobile club for enforcement. The Board reserves the right to close any designated trail at any time.

§ 294-7. Operator restrictions.

No person under the age of 12 years may operate a snowmobile. No person over the age of 12 years but under the age of 16 years may operate a snowmobile unless he holds a valid snowmobile safety certificate or is accompanied by a person over 18 years of age or by a person over 14 years of age having a snowmobile safety certificate issued by the Department of Natural Resources.

§ 294-8. Accidents and accident reports.

- A. If he can do so without serious danger to his own snowmobile or to persons on board, the operator of a snowmobile involved in a snowmobile accident within the Village shall stop his snowmobile and shall render to other persons affected thereby such assistance as may be practicable and necessary to save them from or minimize any danger caused by the accident and shall give his name and address and identification of his snowmobile to any person injured and to the owner of any property damaged in the accident.
- B. If the snowmobile accident results in death or injury to any person or total property damage in excess of \$200, every operator of a snowmobile involved in such accident shall, as soon as possible, notify the Police Department of the accident and shall, within 10 days after the accident, file a written report thereof with the Department on forms prescribed by it.
- C. 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.
- D. "Snowmobile accident" means a collision, accident or other casualty involving a snowmobile.

§ 294-9. Violations and penalties. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

Any person who shall violate any provision of this chapter shall, upon conviction thereof, be punishable as provided in § 1-4, General penalty, of Chapter 1, General Provisions, 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 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 motors vehicles under Chapter 340, Vehicles and Traffic, of this Code.

§ 294-10. Enforcement.

- A. Uniform citation for highway violations. The uniform traffic citation promulgated under § 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 340, Vehicles and Traffic, of this Code shall be used for enforcement of violations of rules of the road relating to parking of vehicles adopted by reference in § 294-1 of this chapter.
- C. Other violations. All violations of this chapter not described in Subsection A or B shall be enforced in accordance with §§ 66.0114 and 66.0111, Wis. Stats. Stipulations of guilt or no contest may be made as provided in § 66.0114(1)(b), Wis. Stats., 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 § 66.0114, Wis. Stats. Such deposits shall include a fee as set forth in the General Fee Schedule, on file in the Village offices, and costs of prosecution. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- 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 Village Clerk-Treasurer.
- E. Forfeited penalties and deposits. Except as otherwise provided in § 345.26, Wis. Stats., and the deposit schedule adopted by the Wisconsin Judicial Conference 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. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**