

**Town of Wascott
Douglas County, Wisconsin**

**Ordinance 2010-06
Snowmobile Vehicle Ordinance**

The Town Board of the Town of Wascott, Douglas County, Wisconsin, do ordain as follows:

PART I. Ordinances 1993-01, 1996-01 and 1999-02 are hereby repealed.

PART II. Ordinance 2010-06 is hereby created to read as follows:

Section 1. Title and Purpose.

The title of this ordinance is the Town of Wascott Snowmobile Vehicle Ordinance. The purpose of this ordinance is to authorize the use of certain Town highways for snowmobile operation and to regulate the operation of snowmobiles in the Town. Further, it is the intent of this ordinance to provide a means for persons to travel from a residence or lodging establishment within the Town of Wascott for the shortest distance that is necessary for a person to operate a snowmobile to the snowmobile route or trail that is closest to that residence or lodging establishment.

Section 2. Authority

The town board has the authority under §§ 60.22 and 350.18, Wis. Stats., to adopt this ordinance.

Section 3. Definitions.

In this ordinance the following words and phrases have the designated meanings unless a different meaning is expressly provided or the context clearly indicates a different meaning:

“Lodging establishment” has the meaning designated in § 350.01 (9m), Wis. Stats.

“Purpose of access from lodging” means for the purpose of traveling for the shortest distance that is necessary for a person operating the snowmobile to go between a lodging establishment and the snowmobile route or snowmobile trail that is closest to the lodging establishment.

“Purpose of residential access” means for the purpose of traveling for the shortest distance that is necessary for a person operating the snowmobile to go between a residence and the snowmobile route or snowmobile trail that is closest to that residence.

“Roadway” means that portion of a highway between the regularly established curb lines or that portion which is improved, designed or ordinarily used for vehicular travel, excluding the berm or shoulder.

“Snowmobile” has the meaning designated in § 340.01 (58a), Wis. Stats.

“Snowmobile route” means a highway or sidewalk designated for use by snowmobile operators by the governmental agency having jurisdiction.

“Snowmobile trail” means a marked corridor on public property or on private lands subject to public easement or lease, designated for use by snowmobile operators by the governmental agency having jurisdiction, but excluding highways except those highways on which the roadway is not normally maintained for other vehicular traffic by the removal of snow.

Section 4. Operation of Snowmobiles on Town Property and Highways.

A. Except as provided in §§ 350.02 and 350.045, Wis. Stats., or for snowmobile events authorized in accordance with § 350.04, Wis. Stats., no person shall operate a snowmobile upon any

public right-of-way, in any public park or on any other town property except upon snowmobile routes designated by the Town Board.

B. Any person legally operating a snowmobile may operate a snowmobile on or in the vicinity of a town highway subject to the following:

1. On the roadway of a town highway which has been designated as a snowmobile route under section 5 and which has been marked as a snowmobile route.

2. On a portion of the roadway or shoulder of a highway for a purpose of residential access or for the purpose of access from lodging for the shortest distance that is necessary for a person to operate a snowmobile to the snowmobile route or trail that is closest to that residence or lodging establishment.

Section 5. Designation of Town Snowmobile Routes.

A. The following town highways are designated snowmobile routes in the town for seasonal use only:

<u>Designated Route</u>	<u>Sponsor</u>
Crotty Brook Trail--Located in T43N-R13W running between Sections 6 and 7 for approximately one (1) mile, and then proceeding north-east across Section 5 for a distance of approximately one and two tenths (1.2) miles.	Cozy Corner Snowmobile Club
A portion of Apple Lake Road -- Located in T43N-R12W between Section 7 and 8 beginning approximately 400 feet south of Spider Lake Road at intersection with Trail 41, and then proceeding south for a distance of approximately 500 feet to the intersection with Trail 41. (Connects segments of Trail 41)	Douglas County Forestry or designee
Coppermine Loop--Located in T43N-R10W running through Section 12 for approximately one-quarter (1/4) mile.	Get-Er-Done Club of Gordon

B. Snowmobile routes shall be marked by the sponsoring organization or its designee at no expense to the Town.

Section 6. Conditions Applicable to Designated Snowmobile Routes.

A. ROUTE SIGNS. Town highways designated as snowmobile routes shall be marked with uniform snowmobile route signs in accordance with § 350.13, Wis. Stats. No person shall interfere with snowmobile route signs and the provisions of § 350.135 are adopted by reference.

B. STATE REGULATIONS. Snowmobile operation is subject to the rules and regulations of Chapter 350 of the Wisconsin Statutes and are adopted by reference.

C. SPEED LIMITS. No person may operate a snowmobile on or adjacent to a roadway in excess of the applicable roadway speed limit, except as otherwise provided by law. No person may operate a snowmobile on a designated snowmobile route in excess of 25 miles per hour.

D. SEASONAL USE. The opening and closing dates for Douglas County snowmobile routes and trails shall apply to Town routes and trails and are hereby adopted by reference.

Section 7. Enforcement and Penalties.

A. This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the state of Wisconsin.

B. The penalties under § 350.11, Wis. Stats., are adopted by reference.

Section 8. Severability.

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

Section 9. Effective Date.

This ordinance is effective on publication or posting. The town clerk shall properly publish this ordinance as required under § 60.80, Wis. Stats.

PART III. The Town Clerk shall send a copy of this ordinance to the Department of Natural Resources and the Douglas County Sheriffs' Department.

ADOPTED this 5th day of October, 2010, by a majority vote of the Town Board with a quorum present and voting and proper notice having been given.

TOWN BOARD

Janice Newsome, Town Chairperson

Bob Beglinger, Town Supervisor

Doug Bush, Town Supervisor

Doug Hanson, Town Supervisor

Barbara Johnson, Town Supervisor

Attest: Jeannette Atkinson, Town Clerk

Vote required: Majority vote.

Policy Note: Per Wis. Stats., § 350.18

Fiscal Note: No budget impact.