

## Chapter 27

### SNOWMOBILES

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27.01 STATE SNOWMOBILE LAWS ADOPTED.

(a) Enumeration. 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:

Wisconsin Statutes

- |     |                          |  |
|-----|--------------------------|--|
| (1) | 350.01 through<br>350.99 | Snowmobiles                                      |
| (2) | 346.02(10)               | Applicability of Rules of Road to<br>Snowmobiles |
| (3) | 895.52                   | Recreational Immunity                            |

27.02 OPERATION REGULATIONS.

(a) Access to Lake. Access to the ice-bound water of Paddock Lake shall be only at those points where public access is permitted to the lake or from private property contiguous to the icebound waters with the express authorization of the owner(s) of such private property.

(b) Trails. The following snowmobile trails and routes are established to provide access to the ice-bound waters of Paddock Lake and local, county and state designated trails:

- (1) 65th Street from the public park Southwestward to 65th Street; thence Westward to the Western terminus of 65th Street.
- (2) 72nd Street from the East terminus of 72nd Street Westward along the channel to 248th Avenue.
- (3) 243rd Avenue from Paddock Lake South to Highway 50.
- (4) From the channel on Hooker Lake Westward along 78th Street to the intersection of 78th Street and 244th Avenue; thence Northward on 244th Avenue to Highway 50.
- (5) 248th Avenue from the State Highway 50 North to County Highway "K", but only on the median strip.
- (6) 74<sup>th</sup> Street from 248<sup>th</sup> Avenue Eastward to the

terminus of 74<sup>th</sup> Street.

(c) 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.

#### 27.03 SNOWMOBILE RENTERS.

(a) License. No person shall engage in the business of renting or leasing snowmobiles to the public, or renting or lease the use of a snowmobile track or other private property to the public for the operation of snowmobiles in the Village unless he has first obtained a license as provided in this section.

(b) Application for License. Application for a snowmobile renter's license shall be filed with the Clerk/Treasurer and shall include the name of the owner of the premises on which such business will be conducted, the proposed period and hours of operation, the name of the person, firm or corporation which will conduct such business, the state registration number of such commercial owner, if any, and the registration numbers of any snowmobiles to be leased by such business and such other information as the Village Board shall require to consider such application. The application shall be accompanied by a fee of Fifty (\$50.00) Dollars to cover the costs of investigation and issuance of the license.

(c) Approval of License. No license shall be issued unless approved by the Village Board after public hearing. Notice of hearing shall be given as a Class 1 notice under Chapter 985, Wisconsin Statutes. The Village Board shall approve issuance of the license only if it determines that the public health, safety and welfare will not be adversely affected thereby, and that the following requirements are met:

(1) The applicant must have on file with the Village Clerk/Treasurer proof of liability insurance in force covering the premises to be licensed and the operation of any snowmobile thereon or to be rented or offered for use to the public by the business with limits of One Hundred Thousand (\$100,000.00) Dollars per person, Three Hundred Thousand (\$300,000.00) Dollars per accident, and Ten Thousand (\$10,000.00) Dollars for property damages.

(2) If snowmobiles are to be used on the licensed premises, such use must be restricted to areas located at least one hundred fifty (150') feet from any dwellings not owned or occupied by the applicant.

(3) Snowmobiles shall be operated on the premises only between the hours of 7:00 a.m. and 10:30 p.m.

(d) Term of License. The licensing period shall be for one (1) year from September 1 to August 31.

(e) Renewal of License. The Village Clerk/Treasurer shall issue a renewal license to any person holding a valid license under this section upon payment of the annual license fee. However, any such applicant who has been convicted within the preceding twelve (12) months of a violation of this chapter or any state statute regulating or restricting the use of snowmobiles or snowmobile renters shall not be entitled to a license renewal until approved by the Village Board after public hearing as required under subsection (c) of this section.

#### 27.04 PENALTIES.

Any person who shall violate any provision of this Chapter shall upon conviction thereof, forfeit not more than \$600 together with the costs of prosecution and in default of payment thereof may be imprisoned in the County Jail for a period not exceeding 90 days. No person shall, however, forfeit any amount in excess of the maximum fine or forfeiture allowed in the Wisconsin Statutes for the same offense. The penalty and forfeiture for snowmobile parking violations on highways shall be the amount applicable to such violations by owners or operators of motor vehicles for violations of Section 26.02 of this Code.

#### 27.05 ENFORCEMENT.

(a) Uniform Citation for Highway and Parking Violations. The uniform traffic citation promulgated under Section 345.11, Wisconsin Statutes, shall be used for violations of this Chapter relating to highway use and the parking of vehicles except as herein provided.

(b) Other Violations. All violations of this Chapter not described in subsection (a) shall be enforced in accordance with Sections 66.12 and 66.114 and Chapter 799 of the Wisconsin Statutes. Stipulations of guilt or no contest may be made as provided in Section 66.12(1)(b), Wisconsin Statutes, in substantially the same form as provided in the uniform traffic citation within 5 days of the date of the citation for such violation. Bail deposits may also be made under Section 66.12, Wisconsin Statutes. Such deposits shall include a \$2 Municipal Court Clerk's fee and costs of prosecution.

(c) 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 Kenosha County Sheriff's Office or Village

Hall during regular business hours.

(d) Forfeited Penalties and Deposits. Except as otherwise provided in Section 345.26, Wisconsin Statutes, and the deposit schedule adopted by the State Board of County Judges thereunder, required forfeited penalties and deposits or bail not including costs or fees for violations of this Chapter, shall be as follows:

<u>Code Section</u>	<u>Offense</u>	<u>Deposit</u>
27.01	Violations, except as hereinafter provided	\$20.00
27.01(a)(9)	Driving animals	200.00
27.01(a)(10)	Permitting operation by incompetent	100.00
27.01(a)(12)	Operating snowmobile under influence	100.00
27.02	Violations, except as hereinafter provided	20.00
27.07(g)	Unattended vehicles	10.00
27.03	Violations, each day	100.00