

## ORDINANCE NO. 29

### SNOWMOBILE ORDINANCE

The Town Board for the Town of Geneva, Walworth County, Wisconsin, does ordain that the Town of Geneva Ordinance No. 29 is hereby repealed and that the following is hereby created.

Section 1.       State Snowmobile Laws Adopted.

The Statutory provisions describing and defining regulations with respect to snowmobiles in the following enumerated sections of the Wisconsin Statutes, exclusive of any provisions relating to penalties, are hereby adopted and by reference made a part of this Ordinance as if fully set forth herein. Any act required to be performed or prohibited by any Statute incorporated herein by reference is required or prohibited by this Ordinance.

Whenever this Ordinance incorporates by reference specific sections of the Wisconsin Statutes or generally refers to them, such reference shall mean the Wisconsin Statutes of 1987-88, as from time to time amended, repealed, or modified by the Wisconsin Legislature.

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
350.05	Operation by Youthful Operators Restricted
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
350.101	Intoxicated Snowmobiling
350.102	Preliminary Breath Screening Test
350.1025	Application of Intoxicated Snowmobiling Law
350.103	Implied Consent
350.104	Chemical Test
350.106	Report Arrest to Department
350.107	Officer's Action After Arrest for Operating a Snowmobile While Under the Influence of an Intoxicant
350.108	Public Education Program
350.13	Uniform Trail Signs and Standards
350.135	Interferences with Uniform Trail Signs and Standards Prohibited
350.15	Accidents and Accident Reports
350.17	Enforcement
350.99	Parties to a Violation
48.343	Disposition of Child Adjudged to Have Violated a Civil Law or Ordinance
340.10(58a)	Words and Phrases Defined - Snowmobile
349.02	Police and Traffic Officers to Enforce the Law
345.11	Uniform Traffic Citation and Complaint
346.02(10)	Applicability of Chapter to Snowmobiles
350.11	Penalties

Section 2. Snowmobile Trail Designated.

- A. Official snowmobile trails are hereby established on the following paved portions of:

South Como Road, beginning at the intersection of State Highway 50, thence proceeding Northerly to the intersection of South Shore Drive and South Como Road where this trail will end.

Also

Palmer Road, beginning at the intersection of Palmer Road and Highway H, thence proceeding Westerly on Palmer Road to the intersection of Como Road, thence Southerly on Como Road for 574 feet where the trail will cease on Town roadway at that point. It is then intended that the Como Sno-Gliders will provide a designated trail which will follow the private road of the Como Sanitary District to the Northern end of Dell Place (see attached letter to the Town Board from the Lake Como Sanitary District No. 1 by General Manager Hubert Jensen, dated November 4, 1998). The trail will then begin at the Northern end of Dell Place, thence proceed Southerly on Dell Place to the intersection of Alder Drive, the trail will then proceed Easterly on Alder Drive to the intersection of Iris Road, thence the trail will proceed Southerly on Iris Road to the intersection of Iris Road past Lake Shore Drive to the shore of Lake Como.

- B. Speed Limits. In addition to the requirements of Section 350.10, Wisconsin Statutes, no person shall operate a snowmobile at a speed in excess of 10 miles per hour at any time on the official trail established in Section 2A. above.
- C. Hours of Operation. In addition to the requirements of Section 350.10(7), Wisconsin Statutes, snowmobiles shall only be operated on the official snowmobile trail established in Section 2A. above, during the following hours:

Sunday Through Thursday	6:00 a.m. - 10:00 p.m.
Friday	6:00 a.m. - 2:00 a.m. Saturday
Saturday	6:00 a.m. - 2:00 a.m. Sunday

Section 3.

A restricted snowmobiling and ice boating area is established on Lake Como between the shore and a line parallel to and 200 feet distant from the shore on both the north and south sides of the lake. Any snowmobile in this area shall not move in a manner that takes it parallel to the shoreline. Operation of a snowmobile in this restricted area shall be for the express purpose of getting beyond the 200-foot distance at a speed not to exceed 10 miles per hour. No snowmobile shall be operated on Lake Como in a manner that would destroy any of the vegetation appearing above the ice.

Section 4.

- A. Unattended Snowmobiles. No person shall leave or allow a snowmobile to remain unattended on any public highway or property while the motor is running or with the starting key in the ignition.
- B. Intent. The intent of this Section of this Ordinance is to provide a means for persons to travel from a residence within the limits of the Town of Geneva, Walworth County, Wisconsin, for the shortest distance that is necessary for a person to operate a snowmobile to the snowmobile route or trail that is the closest to that residence.
- C. Statutory Authority. This Section of this Ordinance is adopted as authorized under Section 350.18(3)(a).
- D. Conditions. Persons may operate snowmobiles on a roadway or shoulder of the roadway subject to the following conditions:
  - 1. Snowmobiles shall operate on the right shoulder of the roadway if possible, and if not possible, on the extreme right side of the roadway and travel with the flow of traffic.
  - 2. Snowmobiles are to be operated in single-file.
  - 3. Headlights shall be on at all times.
  - 4. Snowmobile operators shall yield the right of way to other vehicular traffic and pedestrians.
- E. Speed. A snowmobile operated on a portion of the roadway or shoulder of a highway pursuant to this Section of the Ordinance shall observe roadway speed limits.
- F. Severability. The provisions of this Section of this Ordinance shall be deemed severable and it is expressly declared that the Town Board would have passed the other provisions of this Ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this Section, or the application to any person or circumstances is held invalid, the remainder of the Section and the application of such provisions to other persons or circumstances shall not be affected.

Section 5. Penalties.

The penalty for violation of any provision of this Ordinance shall be a forfeiture and shall conform to the forfeitures for a violation of the comparable State offense, together with the costs of prosecution thereof, and in default of payment of such forfeiture and costs of prosecution, the defendant shall be imprisoned in the County Jail until such forfeiture and costs are paid, but not exceeding ninety (90) days.

Section 6. Effective Date.

The repeal of the existing Ordinance on the passage of this Ordinance shall take effect from and after its adoption by the Town Board and upon posting a publication thereof as provided by the Statutes of the State of Wisconsin.

Adopted this 9<sup>th</sup> day of November, 1998.

THE TOWN BOARD OF THE TOWN OF GENEVA,  
WALWORTH COUNTY, WISCONSIN

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Joseph F. Kopecky, Chairman (Signature on File)

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Charlotte B. Peterson, Supervisor (Signature on File)

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Robert M. McLernon, Supervisor (Signature on File)

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Merle Loomer, Supervisor (Signature on File)

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Mary J. Van Lue, Supervisor (Signature on File)

ATTEST:

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Warren Schinke, Clerk (Signature on File)