

TOWN OF ATHELSTANE

SNOWMOBILES

ORDINANCE #30

- 10-3-1 State Snowmobile Laws Adopted
- 10-3-2 Snowmobile Trails and Operation
- 10-3-3 Snowmobile Access from Residence or Place of Lodging

Sec. 10-3-1 State Snowmobile Laws Adopted.

Except as otherwise specifically provided in the 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 Utility Exemption
- 350.05 Operation by Youthful Operators Restricted
- 350.055 Safety Certification Program Established
- 350.06 Firearms and Bows
- 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

- 350.104 Chemical Tests
- 350.106 Report Arrest to Department
- 350.107 Officer's Action After Arrest for Operating a Snowmobile While Under Influence of Intoxicant
- 350.12 Registration of Snowmobiles
- 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

Sec. 10-3-2 Snowmobile Trails and Operation.

(a) Town Roads Designated as Snowmobile Routes.

(1) Purpose; Statutory Authority.

The purpose of this Subsection is to designate certain roads and streets in the Town of Athelstane as snowmobile routes. This Subsection is adopted as authorized under Sections 350.18(3)(a) and 350.04(2). Wis. Stats.

(2) Applicability.

The requirements of this Subsection apply to all persons within the Town of Athelstane, including non-residents using Town streets and roads.

(3) Definitions. For the purposes of this Subsection:

- a. "Snowmobile" has the meaning designated in Section 340.01(58a), Wis. Stats., and as it may be amended.
- b. "Snowmobile route" means a highway, road, street or sidewalk designated for use by the Town Board as authorized under this Subsection.
- c. "Snowmobile season" shall refer to those months, or portions thereof, wherein snow covers the ground so as to allow the safe operation of a snowmobile.

(4) Designation of Snowmobile Routes on Town Roads.

The following Town road(s) or portion(s) thereof, are hereby designated as snowmobile routes for snowmobile operation during the snowmobile season, subject to the limitations set forth hereunder to wit:

- a. Old Cty. A from Benson Lake Road to Dunbar town line
- b. Benson Lake Road from Mathis Road west to Silver Cliff town line
- c. Cty. A from White Lane to ½ mile east
- d. Firelane Road from 300 feet south of Cty. C to south end
- e. Cty. A from Cty. C to ¼ mile west
- f. Newton Lake Road from Athelstane town line to ¼ mile north
- g. White Lane from Benson Lake Road to north end
- h. Benson Lake Road from Forest Road 219 to 5/8 mile south
- i. Eagle River road from Park & Ride driveway east to Snowmobile Club driveway
- j. Eagle River Road from the highline east 1,000 feet to reconnect with the existing trail (temporary)

(5) Limitations for Snowmobiles.

Snowmobile operation on the above snowmobile routes is subject to the following limitations:

- a. Snowmobiles shall be operated on the extreme right side of the roadway.
- b. Left turns shall be made as safely as possible from any position depending on snow cover and other prevailing conditions.
- c. Snowmobile operators shall yield right-of-way to other vehicular traffic and pedestrians.
- d. Town roads and streets designated for snowmobile operation shall be marked in accordance with Section 350.13, Wis. Stats., and as the same may be amended. Signs shall be of a type approved by the Wisconsin Department of Natural Resources and Wisconsin Department of Transportation.

- e. Snowmobile operation is not permitted on state trunk highways or connecting highways, except as provided in

Section 350.02, Wis. Stats.

- f. All operation of snowmobiles under this Subsection shall comply and conform with all of the previous provisions of Chapter 350, Wis. Stats., as well as the provisions of Chapter 346 Wis. Stats., as designated in Section 346.02(10), Wis. Stats.
- g. Snowmobiles are to be operated in a single-file fashion.
- h. Headlights shall be on at all times.
- i. A snowmobile operated on a portion of a roadway or shoulder of a highway pursuant to this Subsection shall observe roadway speed limits.
- j. 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.
- k. Snowmobile operation is permitted along:
 - (1) U.S. numbered highways, state and county highways at a distance of ten (10) or more feet from the roadway. Travel upon the median of a divided highway is prohibited except to cross.
 - (2) Town highways outside of a roadway on the shoulder or berm alongside a Town road.
- l. No portion of the snowmobile may be on the improved portion which is the asphalt, cement or gravel.
- m. During daylight hours travel may be in either direction regardless of the flow of vehicular traffic. All night travel shall conform to the direction of the vehicular traffic in the nearest lane.
- n. Efforts will be made by the Town of Athelstane, the Near North Trail Riders of Athelstane Inc. and other local snowmobile clubs to minimize roadways as trails.
- o. Trail markings shall be the responsibility of the Near North Trail Riders of Athelstane Inc. and other local snowmobile clubs. Stop and warning signs (i.e. curves, sharp corners, crossings, stay on trail, etc.) will be posted prior to the snowmobile trails opening for the season.

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The Near North Trail Riders of Athelstane Inc. and other local snowmobile clubs shall promote good safety practices on their trail system by posting said rules.

(6) State Notification.

The Town Clerk has sent a copy of this Subsection, following original adoption, to the Wisconsin Department of Natural Resources and the Marinette County Sheriff's Department pursuant to Section 350.047, Wis. Stats.

(b) Other Town Roads.

Roads, other than those designated above, shall not lawfully be used for snowmobiling except those shown on the snowmobile route map, a copy of which is on file with the Town Clerk and made a part of this Section by reference. The operation of snowmobiles on any roadway in the Town other than the prescribed routes is declared unlawful.

(c) Speed Limits.

No person shall operate a snowmobile over the designated snowmobile routes at a rate of speed that exceeds the maximum speed limit posted thereon.

(d) Trail Markers.

The Town shall mark the prescribed snowmobile routes in accordance with Sec. 350.13, Wis. Stats., and any acts amendatory thereto.

(e) Improper Operation.

No person shall operate a snowmobile at a rate of speed that is unreasonable or improper under the conditions, and having regard for the actual and potential hazards then existing, or in any careless way so as to endanger the person or property of another or while under the influence of intoxicating liquor, fermented malt beverages or controlled substance.

(f) Penalties.

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

- (a) Intent.
The intent of this Section is to provide a means for persons to travel from a residence and/or lodging establishment within the limits of the Town of Athelstane 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 and/or lodging establishment.
- (b) Statutory Authority.
The Athelstane Town Board has the specific statutory authority, powers and duties pursuant to Sec. 350.18, Wis. Stats.
- (c) Designated Roadways and/or Highways.
No person shall operate a snowmobile on the roadway or shoulder of a highway not designated as a snowmobile route except that snowmobiles may be operated from private residences and/or lodging establishments only for the purpose of going to or returning from the closest designated trail and/or route.