

ORDINANCE NO. 83

REGULATING SNOWMOBILE AND ATV USE IN THE VILLAGE OF FRIENDSHIP

SECTION 1. TITLE AND PURPOSE. The title of this Ordinance is the Village of Friendship Ordinance Governing Snowmobile and All-Terrain Vehicles." The purpose of this ordinance is to establish snowmobile and all-terrain vehicle (ATV/UTV) routes, to provide safe and enjoyable vehicle recreation consistent with public rights and interests. Where applicable, the provisions of this Ordinance apply equally to ATVs and UTVs. The provisions of this ordinance shall apply to the areas designated herein, including roadways within the jurisdiction of the Village of Friendship.

SECTION 2. APPLICABILITY. The Village Board of Trustees of the Village of Friendship, Adams County, Wisconsin, pursuant to the specific authority given to municipalities under Ch. 350, and Secs. 23.33(4)(d), 23.33(8)(b) and 23.33(11) of the Wisconsin Statutes provides under this Ordinance regulations to Snowmobiles and ATV/UTV operations.

SECTION 3. SNOWMOBILE ROUTES AND REGULATIONS.

A. State Snowmobile Laws Adopted. Except as otherwise specifically provided, 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 section

- | | |
|-----------|---|
| 1. 350.01 | Definitions |
| 2. 350.03 | Operation of Snowmobiles on or in the Vicinity of a Highway |
| 3. 350.04 | Snowmobile Races, Derbies and Routes |
| 4. 350.05 | Persons Under 12 Operating a Snowmobile |
| 5. 350.07 | Driving Bear, Deer or Other Game Prohibited |
| 6. 350.08 | Owner Permitting Operation |
| 7. 350.09 | Head Lamps, Tail Lamps and Brakes |
| 8. 350.10 | Miscellaneous Provisions for Snowmobiles Operation |
| 9. 350.12 | Registration of Snowmobiles |

B. Snowmobile Routes Designated.

1. Except as provided in Sec. 350.02 and 350.03, Wis. Stats., no person shall operate a snowmobile upon any public right-of-way, in any public park, or on any other public property in the Village, except on designated snowmobile areas.
2. All Village roads in the Village of Friendship under the jurisdiction of the Village of Friendship are designated snowmobile routes unless otherwise indicated below. This designation excludes all county, state and federal highways and all

private roads.

3. The following Village-roads are not designated as a snowmobile route:
 - i. West Lake Street, extending from West Street to STH 13
 - ii. East Lake Street, extending from STH 13 to Adams Street.
4. Snowmobiles may not be operated on roadways of the Village other than those designated in this section, except for travel from an operator's residence for the shortest distance necessary to intersect with the designated snowmobile route or trail that is closest to their residence.
5. The Village of Friendship reserves the right to close or modify routes at any time.

C. Additional Regulations.

1. Snowmobiles operated on designated snowmobile routes over public highways shall observe the rules of the road for motor vehicles set forth in Ch. 346 and Ch. 350, Wis. Stats. Any act required to be performed or prohibited by such laws is required or prohibited by this section.
2. 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.
3. Operation on private premises restricted. No person shall operate a snowmobile on any private property not owned or controlled by him or her without the express consent or permission of the owner.
4. Operation on sidewalks and pedestrianways prohibited. No person shall operate a snowmobile on any sidewalk or pedestrianway within the Village.
5. Operation while under influence prohibited. Section 346.63, Wis. Stats., shall apply to the operation of a snowmobile anywhere within the Village
6. 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.
7. Snow cover. No person shall operate a snowmobile in the Village on any area designated a snow mobile route in the absence of an average snow cover in that area of less than three inches.
8. Public nuisance. No person shall operate any snowmobile at such times or in such a manner or without proper muffler equipment so as to create a public nuisance.

SECTION 4. ATV/UTV ROUTES AND REGULATIONS.

A. ATV/UTV Routes Designated.

1. Pursuant to s. 23.33(4)(d)4., Wis. stats., except as otherwise provided in s. 23.33(4), Wis. stats., no person may operate an all-terrain vehicle on the roadway portion of any highway in the Village except on roadways that are designated as ATV/UTV routes by this ordinance.
2. All Village roads in the Village of Friendship under the jurisdiction of the Village of Friendship are designated ATV/UTV routes unless otherwise indicated below. This designation excludes all county, state and federal highways and all private roads.
3. CTH J (West and East Lake Street), where the speed limit is thirty-five (35) miles per hour or less, with the exception of the following sections of CTH J, which are not designated as an ATV/UTV route:
 - i. West Lake Street, extending from West Street to STH 13
 - ii. East Lake Street, extending from STH 13 to Adams Street.
4. Operation of ATVs and UTVs shall be suspended on any road where construction or emergency conditions exist.
5. The Village of Friendship reserves the right to close or modify routes at any time.

B. Signage Required. Pursuant to 23.33(8)(e), Wis. Stats., a sign shall be erected on each highway that crosses the Village's territorial boundary alerting motorists that all highways under the jurisdiction of the Village have been designated as ATV/UTV routes unless otherwise indicated. Any highway under the jurisdiction of the Village which is not designated as an ATV/UTV route shall have signs erected at such locations as appropriate to indicate the highway is not designated as an all-terrain vehicle route. The Village of Friendship, or its designee shall maintain all route signs within the Village.

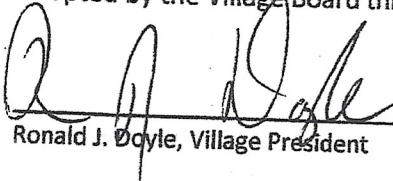
C. Additional Regulations. The operator of an ATV/UTV shall obey all State of Wisconsin laws regarding the operation of ATVs/UTVs and the following Conditions:

1. All ATV/UTV operators shall not exceed the posted speed limit for automobiles or the posted speed limit for ATV/UTV traffic, whichever is lower, on all segments of Village roads designated as ATV/UTV routes. All ATVs/UTV/s operated on designated routes shall maintain physical control, reasonable and prudent speed.
2. All ATV/UTV operators on any part of a designated route, must possess a valid driver's license or ATV Safety Certificate, whether operating in the road right of way or on the road itself.

3. Operators must obey all related laws, including all regulations of the Department of Natural Resources.
4. ATVs/UTVs may be operated on paved roadway surfaces only. ATV/UTV use on paved surfaces must travel the extreme right side of the roadway, except that left turns may be made from any part of the roadway which is safe, given prevailing considerations. Operators on designated routes must travel single file, whether on the travel portion or the right-of-way. ATV trails may be off-road or hard-packed surface, only as designated by the Village of Friendship.
5. No ATV/UTV may be operated on any designated route in a way that causes damage to the roadway or the road right-of-way.
6. No person under the age of sixteen (16) may operate an ATV/UTV on any roadway unless under the direct supervision of a parent or parent approved adult. No person under the age of twelve (12) may operate an ATV/UTV on any designated road or route under any circumstance.
7. No person under the age of eighteen (18) may operate an ATV/UTV on any designated route unless wearing approved protective head gear.
8. No ATV/UTV may be operated on any designated route without fully functional headlights and tail-lights.
9. No ATV/UTV may be operated on any designated route which ATV/UTV does not meet all applicable Federal noise and air pollution standards

SECTION 5. PENALTIES AND ENFORCEMENT. This Ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin. Additionally, the Village authorizes the use of a municipal citation to be issued for violations of this ordinance. Forfeitures for violations of any provision of this chapter shall be the penalties in Wis. Stat. Sec. 350.11 and 23.33, which are hereby adopted by reference.

Adopted by the Village Board this 9th day of September 2019.



Ronald J. Doyle, Village President

ATTEST:



Linda B. Hogan, Clerk/Treasurer

Published: Sept 18th 2019