

Ordinance Number 05-2009

Snowmobiles and ATVs

**Replaces pages 900-28 - 900-29**

**See also Section 905.2.2 County ATV Ordinance**

**Amended 02-15-11**

ORDINANCE NO. 05-2009

**WHEREAS**, the use of snowmobiles and All Terrain Vehicles (ATVs) have increased dramatically over the years with more snowmobiles and ATV trails being developed; the number of individuals who utilize snowmobiles and ATVs has increased; and snowmobiles and ATVs have increased in speed and power; and

**WHEREAS**, the Forest County Forestry Committee has reviewed the present Ordinance and has recommended that the same be deleted in its entirety and that a new Snowmobile and ATV Ordinance be adopted in its place.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE FOREST COUNTY BOARD OF SUPERVISORS** as follows:

**SECTION I.** That the Forest County Snowmobile Ordinance No. 03-99 be revised and the same is hereby deleted in its entirety.

**SECTION II.** That the following shall be the Ordinance by which snowmobiles and ATVs are regulated and the manner in which snowmobiles and ATVs are utilized within Forest County.

**SECTION III. DEFINITIONS**

3.1 “All Terrain Vehicle” means an engine driven device which has a net weight of nine hundred (900) pounds or less, which has a width of fifty (50) inches or less, which is equipped with a seat designed to be straddled by the operator and which is designed to travel on three (3) or more low pressure tires. A low pressure tire is a tire which has a minimum width of six (6) inches and which is designed to be inflated with an operating pressure not to exceed ten (10) pounds per square inch as recommended by the manufacturer.

3.2 All Terrain Vehicle Route. A highway or sidewalk designated for use by all terrain vehicle operators by the governmental agency having jurisdiction as authorized by S.S. 23.33, Wis. Stats.

3.3 All Terrain Vehicle Trail. A marked corridor on public property or on private lands subject to public easement or lease, designated for use by all terrain vehicle operators by the governmental agency having jurisdiction.

3.4 Snowmobile. Any engine driven vehicle of a type which utilizes sled type runners, skis or an endless belt tread or any combination of these or similar means of contact with the surface upon which it is operated, but does not include such vehicles which are either manually propelled or driven by a motor of 4 horse power or less and operated only on private property.

3.5 Snowmobile Route. A highway or sidewalk designated for use by snowmobile operators by the governmental agency having jurisdiction as authorized by S.S. 350-04, Wis. Stats.

3.6 Snowmobile Trail. A marked corridor on public property or on private property, subject to public easement or lease, designated for use by operators of snowmobiles by the County Snowmobile Coordinator, but excluding highways, except those highways on which the roadway is not normally maintained for other vehicular traffic by the removal of snow.

3.7 Official Trail Opening. That date and time selected and published in the official County newspaper designating the approved snowmobile trails opened for snowmobile use and approved all terrain vehicle trails are open for all terrain vehicle use.

3.8 Official Trail Closing. That date and time selected and published in the official County newspaper designating the approved snowmobile trails closed for snowmobile use and/or all terrain vehicle trails are closed for all terrain vehicle use.

3.9 Snowmobile Coordinator. The County Forest Administrator, and such other individuals so designated by the Forestry Committee.

3.10 Approved Snowmobile Trails. Includes all snowmobile trails or routes that have been designated by the County Snowmobile Coordinator or Forestry Committee.

3.11 Off Road Vehicle. Includes, but is not limited to, trail bikes, motorcycles, mini bikes, air boats and air cushioned vehicles or golf carts.

#### **SECTION IV. RESTRICTED USES OF SNOWMOBILES AND ATVS**

4.1 No person shall drive a snowmobile, all terrain vehicle or off road vehicle on any land under the supervision, management or control of the County Forestry Department that is posted as “closed to unauthorized motor vehicles” or closed in accordance with Section 6.1 of this ordinance.

4.2 No person shall operate a snowmobile on any land under the supervision, management or control of the Forest County Forestry Committee except on designated trails or unplowed roads.

4.3 No person shall drive a snowmobile or all terrain vehicle at speeds in excess of 10 mph on any portion of an approved snowmobile trail that is posted with a yellow sign indicating “slow”, “steep hill”, “dip”, “turn” or other caution.

4.4 Operators of a snowmobile or all terrain vehicle on approved snowmobile trails or approved ATV trails must adhere to all posted speed limits.

4.5 Operators of a snowmobile or all terrain vehicle on approved snowmobile trails or approved ATV trails must stop at all locations marked with a red sign indicating “stop”.

4.6 No person shall place unauthorized signs on any property, snowmobile trail or ATV trail administered by the Forestry Committee.

4.7 No person shall deface, destroy or remove any all terrain or snowmobile sign posted on any approved all terrain trail or approved snowmobile trail.

4.8 No person shall deface, destroy or remove any gate, berm, boulders, barricade or bridge on any all terrain or snowmobile trail.

4.9 No person shall operate an all terrain vehicle with tire chains or studded tires on any snowmobile or all terrain vehicle trail.

4.10 No person shall operate an all terrain vehicle on any approved all terrain trail, the Nicolet State Trail or the Wolf River State trail from the official close of the snowmobile trails until May 1, of each year.

4.11 No person shall operate any motorized vehicle off of any approved all terrain trail, snowmobile trail or established logging road on any Forest County forest property. This activity commonly referred to as “cross country travel” is strictly prohibited on any Forest County forest property.

Notwithstanding other provisions of this ordinance, the Forestry Committee and their agents may, at their discretion, close any and all trails or roads within the County forest boundaries to protect the trails and roads from damage caused by all forms of motorized vehicular travel.

## **SECTION V. RESTRICTED USE OF SNOWMOBILE AND ATV TRAILS**

5.1 No person shall operate any four wheel drive vehicle, passenger car, all terrain truck or motorcycle on any state funded snowmobile trail in Forest County, except for snowmobile club trail maintenance activities, without notification to the Forest County Snowmobile Coordinator at County Forestry Department, 200 East Madison Street, Crandon, WI 54520, Phone (715) 478-3475. This subsection shall not apply to any person or persons or their assigns who owns or leases lands abutting that portion of the snowmobile trail or for club trail maintenance activities.

5.2 No person shall operate any snowmobile or all terrain vehicle on any approved snowmobile trail until officially opened by the County Snowmobile Coordinator.

5.3 No person shall operate any snowmobile or all terrain vehicle on any approved snowmobile trail after such trail is officially closed by the County Snowmobile Coordinator.

5.4 All terrain vehicles are not allowed on any state funded snowmobile trail in Forest County except the Nicolet State Trail and Wolf River State Trail.

5.5 Operation of snowmobiles and all terrain vehicles by youthful operator is restricted and defined in S.S. 350.05 and 23.33(5), Wis. Stats.

## **SECTION VI. GATED ROADS AND TRAILS.**

6.1 No person shall operate any unauthorized motor vehicle, off road vehicle or all terrain vehicle on roads or trails which are closed by, but not limited to, being gated, cabled, bermed, barricaded, ditched, embanked, bouldered or posted closed to prohibit motor vehicle travel in accordance with Section 4.1 of this ordinance.

6.2 The Forestry Department may authorize, by permit, persons with physical disabilities to use a motorized vehicle as a mode of personal conveyance behind gated roads and trails. A permit is required for disabled persons.

6.3 No person shall park any vehicle or place any obstruction on the groomed portion of any snowmobile trail or ATV trail.

## **SECTION VII. PENALTIES**

7.1 Any person, firm or corporation violating any of the provisions of the Ordinance shall, upon conviction, forfeit not less than One Hundred and 00/100 Dollars (\$100.00) nor more than One Thousand and 00/100 Dollars (\$1,000.00) for each offense together with court costs, restitution of trail, bridge or sign damage, and in default of payment of such forfeiture and costs, shall be imprisoned in the County Jail until the same are paid, for a period of time not to exceed thirty (30) days, or until otherwise discharged pursuant to law.

## **SECTION VIII. GENERAL**

8.1 If any section, clause provision or portion of this Ordinance is judged unconstitutional or invalid by the County of competent jurisdiction, the remainder of this Ordinance shall not be affected.

8.2 Any previous Ordinance or Resolution in conflict with this Ordinance is repealed to the extent of such conflict.

8.3 This Ordinance shall be in full force and effect from and after its adoption and publication.