

ORDINANCE No. 78-03

AN ORDINANCE TO REGULATE SNOWMOBILE TRAFFIC IN THE TOWN OF MECAN, WISCONSIN.

The Town Board of the Town of Mecan, Marquette County, Wisconsin, being duly assembled, does ordain as follows:

Section 1. STATE STATUTES ADOPTED BY REFERENCE.

Except as otherwise specifically provided in this ordinance, all provisions of Chapter 350, Wis. Stats., 1977, together with any and all existing or future amendments thereto, describing and defining regulations with respect to snowmobile traffic, for which the penalty is a forfeiture only, are hereby adopted and by reference made a part of this ordinance as if fully set forth herein. Any act required to be performed by any such statute herein adopted by reference, is required to be performed by this ordinance. Any act prohibited by any such statute, incorporated herein by reference, is prohibited by this ordinance. Sections of Chapter 350, adopted by reference shall include, but not be limited to the following:

Chapter 350 - Snowmobiles.

350.01 (Definitions)

350.02 (Operation of snowmobiles on or in the vicinity of highways)

350.03 (Right-of-way)

350.045 (Public utility exemption)

350.05 (Operation by youthful operators restricted)

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)

350.11 (Penalties)

350.17 (Enforcement)

350.99 (Parties to a violation)

Town of Mekan

Marquette County, Wisconsin

Amendment To Ordinance No. 78-03, An Ordinance To Regulate  
Snowmobile Traffic In The Town Of Mekan, Wisconsin.

**AMENDMENT NO. 01-2013**

**WHEREAS:** Section 350.02 Operation of snowmobiles on or in the vicinity of highways. (2) (a) No person may operate a snowmobile on any highway EXCEPT in the following manner or as otherwise authorized by law:

**WHEREAS:** Section 350.02 (2) ( a) 6. On a portion of the roadway or shoulder of a highway for the PURPOSE OF RESIDENTIAL ACCESS OR THE PURPOSE OF ACCESS FROM LODGING if the town, city or village, within which that portion of the highway lies, enacts an ordinance under s. 350.(3) for that portion of the highway.

**NOW THEREFORE LET IT BE KNOWN:** That the Town of Mekan, Marquette County, Wisconsin does ordain the use of snowmobile traffic on ALL TOWN ROADS, AND HIGHWAYS, as stated in Wisconsin Statutes, Chapter 350.02, 350.06, 350.18(1), 350.18(2), 350.18(3) (a)

From this DAY OF MAY 14, 2013, at the Regular Town Of Mekan Monthly Meeting, the Town Of Mekan Ordinance NO. 78-03 with Amendment NO. 01-2013 will be Law for the Town Of Mekan snowmobilers. Published in Marquette County Tribune.

**ROLL CALL ON ORDINANCE NO. 78-03 WITH AMENDMENT NO. 01-2013 ATTACHED**

**AYES\_3\_, NAYS\_0\_, ABSENT,\_0\_, ABSTAIN\_\_0\_\_.**

Passed and Adopted this 14th Day Of May 2013

**Town Board Of Supervisors**

Michael L. Baldauf, Town Chairman

Clayton Masters, Supervisor # 1

Nancy J. Reuter, Supervisor # 2

**ATTEST:** Jana S. Menling, Town Clerk

Section 2. PENALTY.

The penalty for violation of any provision of this ordinance shall be a forfeiture in the same sum as provided by the state statute incorporated by reference, together with the costs of prosecution as provided by statutes.

Section 3. ENFORCEMENT.

The ordinance shall be enforced in accordance with the provisions of ch. 299 and s. 66.12 of the Wisconsin Statutes, as now or hereafter amended.

A. Stipulation of Guilt or No Contest. Stipulation of guilt or no contest may be made by persons arrested for violations of this ordinance in accordance with s. 66.12(1)(b), Wis. Stats. Stipulation may be accepted by the Clerk of the Town of Mecan or by the Town Constable.

Section 4. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances heretofore enacted by the Town Board of the Town of Mecan that are in conflict with this ordinance are hereby repealed.

Section 5. SEVERABILITY. The provisions 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, and if any provision of this ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

Section 6. EFFECTIVE DATE. This ordinance shall take effect and be in force upon passage and publication as provided by law.

Odo Stubb  
Town Chairman

Attest: La Roy G. Kamin  
Town Clerk

Harold Ebert  
Supervisor

Ronald J. Rogers  
Supervisor