

SNOWMOBILE AND OR ATV OPERATION

Ord. No. 031803

Adopted: March 18, 2003

*Cross reference(s)—Uniform Traffic Code adoption, Pt. 30; vehicular traffic speed limits, Pt. 36.

An ordinance regulating the operation of snowmobile/ATV's within the village limits of the Village of Waldron.

THE VILLAGE OF WALDRON ORDAINS:

Definitions.

Sec. 1. As used in this ordinance:

- (a) "Operator" Shall mean any person who operates or who is in actual physical control of a snowmobile/ATV.
- (b) "Operate" means to ride in or on and be in actual physical control of the operation of a snowmobile/ATV.
- (c) "Person" means an individual, partnership, corporation, the State and any of its agencies or subdivisions and any body of persons, whether incorporated or not.
- (d) "Snowmobile" means any motor-driven vehicle designed for travel primarily on ice or snow of a type which utilizes sled-type runners or skis or an endless belt tread or any combination of these or similar means of contact with the surface upon which it is operated other than a vehicle required to be registered under Act 300 Of the Public Acts of Michigan for 1949, as amended.
- (e) "Highway or Street" Means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
- (f) "Roadway" Means that portion of a highway improved, designated, or ordinarily used vehicular travel. If a highway includes 2 or more separate roadways the term roadway refers to any such roadway separately, but not to all such roadways collectively.
- (g) "Right of way" means that portion of a highway less the roadway and any shoulder.
- (h) "Shoulder" means that portion of a highway on either side of the roadway, which is normally snowplowed for the safety, and convenience of vehicular traffic.
- (i) "ATV" means a 3 or 4-wheeled vehicle designed for off-road use.

Operation upon public highway, street or parking lot.

Sec. 2. A person shall not operate a snowmobile upon a public highway, land used as a street or on a public parking lot not specifically designed for the use of snowmobiles except under the following conditions and circumstances:

- (a) A snowmobile/ATV may be operated on the right of way of a public highway or street within the Village of Waldron if it is operated at the extreme right of the open portion of the right of way and with the flow of traffic.
- (b) A snowmobile/ATV may be operated on a roadway or shoulder when necessary to cross a bridge or culvert if the snowmobile/ATV is brought to a complete stop before entering onto the roadway or shoulder and the driver yields the right of way to any approaching vehicle on the highway or street.
- (c) A snowmobile/ATV may be operated across a public highway other than a limited access highway, at right angles to the highway, for the purpose of getting from one area to another when the operation can be done in safety and another vehicle is not crossing the highway at the same time in the same general area. An operation shall bring his snowmobile /ATV to a complete stop, before proceeding across any public highway and shall yield the right of way to all oncoming traffic.

Conditions of operation.

Sec. 3. A person shall not operate a snowmobile/ATV in any area permitted by this ordinance.

- (a) At a rate of speed greater than is reasonable and proper having due regard for conditions then existing
- (b) At a speed greater than 10 mph.
- (c) While under the influence of intoxicating liquor or narcotic drugs, barbitol or any derivative of barbitol.
- (d) During the hours from ½ hour after sunset to ½ hour before sunrise without displaying a lighted headlight and lighted taillight.
- (e) During the hours from 10:0.m. to 7:a.m

Prohibited areas.

Sec. 4. No person shall operate a snowmobile/ATV on or across any of the following areas within the Village of Waldron:

- (a) Cemetery or burial grounds.
- (b) Public sidewalks.

(c) Public Parks.

(d) Any other real property owned by the Village of Waldron and utilized for the operation of its water, sewage disposal or other utilities.

(e) On a railroad right of way except for railroad, public utility or law enforcement personnel while in the performance of their duty.

Penalty. Any person violating any of the provisions of this ordinance shall, upon conviction, be subject to a fine of not more than \$100 and cost of persecution, or imprisonment for not more than ninety (90) day's or to both such fine and imprisonment in the discretion of the court.

Village President _____ . Date _____
Terry Rossi

Village Clerk _____ . Date _____
Richard Andrews