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3 **ORDINANCE: Create Section 9.36 of the General Code of Winnebago County: Regulation of Motor**  
4 **Vehicles on Icebound Inland Lakes**

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7 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

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9 **WHEREAS**, some motor vehicles are unregulated upon the frozen lakes of Wisconsin; and

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11 **WHEREAS**, the State of Wisconsin has given municipalities the authority to regulate motor vehicles upon the  
12 frozen lakes of Wisconsin; and

13  
14 **WHEREAS**, citizen complaints and concerns have been presented to your undersigned committee that there  
15 is a need to create an ordinance to control speed, noise, and use of intoxicants upon the frozen lakes of Winnebago  
16 County; and

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18 **WHEREAS**, the proposed ordinance, entitled 9.36 Regulation of Motor Vehicles on Icebound Inland Lakes,  
19 would provide such authority; and

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21 **NOW, THEREFORE, BE IT ORDAINED** by the Winnebago County Board of Supervisors that Section 9.36 of  
22 the General Code of Winnebago County shall be created to read as follows:

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25 **9.36 REGULATION OF MOTOR VEHICLES ON ICEBOUND INLAND LAKES.**

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27 (1) **Authority:** This Ordinance is created pursuant to § 30.81(2), Wis Stats.

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29 (2) **Jurisdiction:** This Ordinance shall be applicable to any icebound inland waters over which Winnebago  
30 County has jurisdiction, except to the extent that icebound inland lakes are regulated by valid local ordinances  
31 enacted pursuant to §§ 30.81(1) and (1m), Wis Stats.

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33 (3) **Exemption:** This Ordinance shall not apply to snowmobiles regulated under section 9.11 of this Code or  
34 all terrain vehicles regulated under section 9.12 of this Code.

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36 (4) **Definitions:**

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38 (a) **Law Enforcement Officer:** A law enforcement officer shall be defined as specified in § 165.85(2)(c),  
39 Wis Stats, and shall include a Conservation Warden.

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41 (b) **Motor Vehicle:** A motor vehicle shall be defined as a vehicle, including a combination of two or more  
42 vehicles or an articulated vehicle, that is self propelled, except a vehicle operating exclusively on a rail. The term  
43 "motor vehicle" shall include, without limitation, a commercial motor vehicle including motorcycles.

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45 (5) **Operating Motor Vehicles on the Frozen Surfaces of Inland Lakes:**

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47 (a) No person may operate a motor vehicle on the frozen surface of an inland lake in Winnebago County  
48 at a speed exceeding 10 miles per hour within 100 feet of another person who is not in or operating a motor vehicle  
49 on the frozen surface of an inland lake in Winnebago County.

50  
51 (b) No person may operate a motor vehicle within 100 feet of a fishing shanty at a speed exceeding 10  
52 miles per hour on the frozen surface of an inland lake in Winnebago County.

53  
54 (c) The operator of a motor vehicle shall yield the right of way to another person who is not in or operating  
55 another motor vehicle, and who is within 100 feet of the operator's motor vehicle, on the frozen surface of an inland  
56 lake in Winnebago County.

57  
58 (d) No person shall operate a motor vehicle at a rate of speed that is unreasonable or improper under the  
59 circumstances, or is in excess of 25 miles per hour, while traveling within 250 feet from the shoreline on the frozen  
60 surface of an inland lake in Winnebago County.

62 (e) No person shall operate a motor vehicle on the frozen surface of an inland lake in Winnebago County  
63 in excess of 25 miles per hour while travelling in a continuous route, track, or course, including, but not limited to, a  
64 serpentine, circle, oval, or any other path of travel which is not a straightway, unless the continuous route, track, or  
65 course is located 1,000 feet from the shoreline of the frozen surface of an icebound inland lake. This section shall  
66 apply to all terrain vehicles otherwise exempt from Section 9.36.  
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68 (f) No person shall operate a motor vehicle on the frozen surface of an inland lake unless it is equipped  
69 with a muffler in good working order. If not already regulated by Wisconsin Statute, exhaust and overall engine noise  
70 levels while in stationary operation shall not exceed 96 decibels as measured in accordance with the procedures  
71 established for the measurement of exhaust sound levels by the Society of Automotive Engineers Standard J1287.  
72

73 (g) No person under the influence of intoxicants or other drugs, to a degree which renders the person  
74 incapable of safely operating such motor vehicle, shall operate a motor vehicle on the frozen surface of an inland  
75 lake.  
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77 (6) **Operation a Motor Vehicle on the Frozen Surface of an Inland Lake During Hours of Darkness:** Any  
78 person operating a motor vehicle on an icebound inland lake during hours of darkness is required to light all  
79 headlamps, tail lamps, and clearance lamps with which the vehicle is required to be equipped.  
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81 (7) **Penalty:** Any person who violates any provision of this Section of the Code shall be subject to a forfeiture of  
82 \$40.00 plus any statutory surcharges imposed by the State Legislature.  
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84 (8) **Effective Date:** This Ordinance shall be in full force and effect as of Novemeber1, 2012.  
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87 Submitted by:

88 **JUDICIARY AND PUBLIC SAFETY COMMITTEE**  
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91 Committee Vote:

92 **5-0**  
93

94 Vote Required for Passage:

95 **Majority of Those Present**  
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98 Approved by the Winnebago County Executive this \_\_\_\_\_ day of \_\_\_\_\_, 2012.  
99

100 \_\_\_\_\_  
101 Mark L Harris  
102 Winnebago County Executive