

2  
3 **ORDINANCE: Create Section 9.36 of the General Code of Winnebago County: Regulation**  
4 **of Motor Vehicles on Icebound Inland Lakes**

5  
6 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**  
7

8 **WHEREAS**, as a consequence of complaints and concerns raised by citizens of Winnebago County residing  
9 near Lake Winnebago, it has become apparent to your undersigned Committee that there is a need to create an  
10 ordinance to control speed and noise on Lake Winnebago during the winter months in relationship to the use of  
11 snowmobiles and other motor vehicles; and

12 **WHEREAS**, the proposed Ordinance entitled "9.36 Regulation of Motor Vehicles on Icebound Inland Lakes"  
13 would provide authority to the Winnebago County Sheriff to issue citations to individuals operating motor vehicles on  
14 Lake Winnebago in an unsafe manner or in such a way that results in a nuisance to those citizens residing near Lake  
15 Winnebago.  
16

17 **NOW, THEREFORE, BE IT ORDAINED** by the Winnebago County Board of Supervisors that it hereby  
18 creates Section 9.36 of the General Code of Winnebago County to read as follows.  
19

20 **9.36 REGULATION OF MOTOR VEHICLES ON ICEBOUND INLAND LAKES.**  
21

22 (1) **Authority:** This Ordinance is created pursuant to § 30.81(2), Wis Stats.  
23

24 (2) **Jurisdiction:** This Ordinance shall be applicable to any icebound inland waters over which Winnebago  
25 County has jurisdiction, except to the extent that icebound inland lakes are regulated by valid local ordinances  
26 enacted pursuant to §§ 30.81(1) and (1m), Wis Stats.  
27

28 (3) **Exemption:** This Ordinance shall not apply to motor vehicles competing in a race or derby sanctioned by  
29 a township or municipality, provided that at least 7 days prior written notice of the race or derby has been provided to  
30 the Winnebago County Sheriff's Office.  
31

32 (4) **Definitions:**  
33

34 (a) **Law Enforcement Officer:** A law enforcement officer shall be defined as specified in § 165.85(2)(c),  
35 Wis Stats, and shall include a Conservation Warden.  
36

37 (b) **Motor Vehicle:** A motor vehicle shall be defined as a vehicle, including a combination of two or more  
38 vehicles or an articulated vehicle, that is self propelled, except a vehicle operating exclusively on a rail. The term  
39 "motor vehicle" shall include, without limitation, a commercial motor vehicle including but not limited to snowmobiles,  
40 motorcycles, all-terrain vehicles, and utility-terrain vehicles.  
41

42 (5) **Operating Motor Vehicles on the Frozen Surfaces of Inland Lakes:**  
43

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

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

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

(d) No person shall operate a motor vehicle on the frozen surface of an inland lake at a rate of speed that is unreasonable or improper under the circumstances, or is in excess of 25 miles per hour while traveling within 1,000 feet from the shoreline on the frozen surface of an inland lake in Winnebago County.

(e) No person may operate a motor vehicle on the frozen surface of an inland lake unless it is equipped with a muffler in good working order. Exhaust and overall engine noise levels while in stationary operation shall not exceed 90 decibels as measured in accordance with the procedures established for the measurement of exhaust sound levels in the January 2004 Society of Automotive Engineers Standard J2567.

(6) **Operation of a Motor Vehicle on the Frozen Surface of an Inland Lake During Hours of Darkness:**  
Any person operating a motor vehicle on an icebound inland lake during hours of darkness is required to light all headlamps, tail lamps, and clearance lamps with which the vehicle is required to be equipped.

(7) **Penalty:** Any person who violates any provision of this Section of the Code shall be subject to a forfeiture of \$40.00 plus any statutory surcharges imposed by the State Legislature.

(8) **Effective Date:** This Ordinance shall be in full force and effect as of September 1, 2012.

Submitted by:

**JUDICIARY AND PUBLIC SAFETY COMMITTEE**

Committee Vote: **5-0**

Vote Required for Passage: **Majority of Those Present**

Approved by the Winnebago County Executive this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

---

Mark L Harris  
Winnebago County Executive