

**VILLAGE OF ROSCOMMON
ORDINANCE NO. 16
SNOWMOBILES WITHIN THE VILLAGE**

THE VILLAGE OF ROSCOMMON ORDAINS:

This ordinance shall pertain to snowmobiles and their use within the Village of Roscommon:

SECTION 1. DEFINITIONS

Owner – any of the following:

- A person who holds the legal title to a snowmobile.
- A renter or lessee of a snowmobile which is subject to any agreement for the conditional sale or lease thereof, with the right of purchase on performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional renter or lessee.
- A person renting a snowmobile or having exclusive use of a snowmobile for more than 30 days.

Operator – any person who operates or is in actual physical control of a snowmobile.

Operate – to ride in or on, or to be in actual physical control of, a snowmobile.

Public Property – property owned, leased, or otherwise controlled by this governmental unit including parks, parking lots, and recreational areas.

Private Property open to the Public – property that is privately owned but is open to public access.

Right-of-way – portion of a street or highway less the roadway and any shoulder.

Snowmobile – a motor driven vehicle designed for travel primarily on snow or ice, of a type which utilizes sled-type runners or skis, an endless belt tread, or any combination of these, or similar means of contact with the surface on which it is operated.

Street – the entire width between the boundary lines of every way publicly maintained within the Village of Roscommon when any part thereof is open to use of the public for purposes of vehicular travel including the shoulders and non-paved areas thereof.

SECTION 2. OPERATION ON PUBLIC STREETS

No person shall operate a snowmobile in the roadway of any public street(s) except as follows:

1. May be operated on a street during an emergency, when so declared by a police agency having jurisdiction, when travel by conventional automotive equipment is not possible.
2. May be operated on a street for a special snowmobile event of limited duration that is conducted according to a pre-arranged schedule under permit from the Village of Roscommon, between the hours of 8:00 AM and 9:00 PM.
3. When necessary to cross the roadway or to cross a bridge or culvert. The snowmobile shall be brought to a complete stop before entering onto the roadway and the operator shall yield the right-of-way to a vehicle approaching on the roadway.
4. On a roadway only when traveling directly to an area approved for snowmobile use or between two (2) approved areas.

SECTION 3. OPERATION ON PUBLIC PROPERTY

No person shall operate a snowmobile on public property:

1. At a rate or speed greater than is reasonable while having due regard for existing conditions and in no event in excess of twenty-five (25) miles per hour.
2. On a public sidewalk, except that snowmobiles may be driven across a sidewalk at a regular driveway.
3. Within 100 feet of a dwelling between 12:00 AM (midnight) and 6:00 AM at a speed greater than the minimum required to maintain forward movement of the snowmobile.
4. While under the influence of an intoxicating liquor, a controlled substance, or any combination of an intoxicating liquor and controlled substance.
5. With more than the designated occupant and passenger capacity.
6. On a rail-road right-of-way, except when the railroad, a public utility, or a law enforcement employee is performing an official duty.
7. On or across a cemetery.
8. In a careless or negligent manner likely to endanger any person or property.

SECTION 4. DESIGNATED SNOWMOBILE ROUTES

Authorized snowmobile routes within the Village of Roscommon are as designated on the attached map, listed as Appendix A.

SECTION 5. TRAFFIC REGULATION FOR SNOWMOBILES

Any person operating a snowmobile within the Village of Roscommon shall obey all traffic regulations with the additional requirements:

1. Coming to a complete stop at all intersections.
2. Traveling as close to the right edge of the plowed areas of the street as possible.
3. Yield the right-of-way to all vehicular and pedestrian traffic.
4. Travel in single file.
5. No operating a snowmobile on any sidewalk(s) within the Village.

SECTION 6. STOPPING AT DIRECTION OF UNIFORMED POLICE OFFICER

The operator of a snowmobile shall bring his or her snowmobile to a stop when given a visual or audible signal by hand, voice, emergency light, or siren by a police officer, who is acting in the lawful performance of his or her duty.

SECTION 7. VIOLATION

Any person who violates the provisions of this ordinance shall be guilty of a misdemeanor, punishable by a fine of not more than Five Hundred (\$500.000) Dollars, imprisonment in the county jail for not more than 90 days, or a combination of both fine and imprisonment. Violators of this ordinance are subject to payment of any and all court costs assessed in regards to said violation.

SECTION 8. SEVERABILITY AND REPEAL

Ordinances or parts contained conflicting with this Ordinance are hereby repealed only to the extent necessary to give this ordinance full force and effect. Sections of this ordinance shall be determined severable and if any court of competent jurisdiction declares any section or part of this ordinance inoperative and void, such declaration or decision of said court shall not affect the remainder of this ordinance, but such remaining sections shall be held valid for the intent and purpose herein set forth.