

ORDINANCE NO. 2008-31

Ordinance regulating use of icebound waters

WHEREAS, the Highway 26 Jefferson Bypass Project currently involves construction of bridges over both the Crawfish and Rock Rivers north of Jefferson, and

WHEREAS, snowmobiles and ATV's regularly travel the rivers when frozen and the safety of their operators is at risk in the construction zones, and

WHEREAS, Section 30.81(2), Wisconsin Statutes, authorizes a county to regulate snowmobile and other motor vehicle traffic on icebound inland waters in the interest of public health or safety, and

WHEREAS, representatives of the Wisconsin Department of Transportation, Zenith Tech, Inc. (the bridge contractor), the Department of Natural Resources, the Jefferson County Parks Department and the Sheriff agree that a county ordinance authorizing the Sheriff to close areas of icebound rivers for safety purposes is desirable to protect operators of snowmobiles and other vehicles from harm,

THE COUNTY BOARD OF SUPERVISORS OF JEFFERSON COUNTY DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The Jefferson County Sheriff is authorized to close portions of icebound rivers to use by snowmobiles, ATV's or other motor vehicles when construction or other circumstances are present that cause an unreasonable risk of harm to the operators of said vehicles.

Section 2. The Sheriff may order any person or company engaged in construction on an icebound waterway to mark areas closed as directed.

Section 3. No person shall operate a snowmobile, ATV or other motor vehicle in areas closed pursuant to this ordinance unless such person is in the employ of the construction company working on the project generating the need to close the area to other traffic.

Section 4. No person shall remove markers designating a closed area for an icebound waterway unless authorized by the Sheriff or his designee.

Section 5. Any person violating this ordinance shall be subject to a forfeiture of not less than \$25 nor more than \$500 per violation.

Section 6. Pursuant to the Jefferson County Citation Ordinance, a citation may be issued for violation of this ordinance with a base forfeiture of \$50 plus applicable assessments and costs.

Section 7. This ordinance shall take effect upon passage and publication as provided by law.

Adopted by the Jefferson County Board of Supervisors this 9th day of December 2008.

s/Sharon L. Schmeling

Sharon L. Schmeling
Chair

ATTEST:

s/David P. Ehlinger

David P. Ehlinger, Chief Deputy County Clerk

Published this __12th__ day of December 2008.