TITLE VIII

Chapter 38

SNOWMOBILES AND OTHER VEHICLES

38.01 Snowmobiles
38.02 Other Vehicles
38.03 All-Terrain Vehicles & Utility Terrain Vehicles on Certain City Streets
38.04 Golf Carts

38.01 SNOWMOBILES.

(1) State Law Adopted.

(A) Except as otherwise specifically provided in this ordinance, the statutory provisions describing and defining regulations with respect to snowmobiles in Wisconsin are hereby adopted by reference and made a part of this Ordinance as if fully set forth herein.

(B) Specifically, Chapter 350, Wis. Stat. is adopted together with the following §§350.01(35)(58a)(74); 341.055; 346.02(10).

(C) References to the Wisconsin Statutes are to the 1981—1982 Statutes as Amended.

(2) Snowmobile Routes Designated.

(A) Except as provided in §§350.02 and 350.03 of the Wisconsin Statutes, no person shall operate a snowmobile upon any public right of way, in any public park, golf course or on any other public property in the City of Blair, except as hereinafter designated. The following streets are designated as snowmobile routes or areas:

Second Street, Taft Street and across school property to each;
Center Street from Highway 95 to the City parking lot;
Highway 95 Bridge across Tappen Creek and the Trempealeau River;
Riverside Park and Lake Henry when suitable snow cover, at moderate speeds;
School grounds south of Tappen Creek only.

(B) Snowmobiles operated on designated snowmobile routes over public highways shall observe the rules of the road for motor vehicles set forth in Chapter 346 of the Wisconsin Statutes, being hereby adopted by reference and made a part of this Ordinance as if fully set forth herein.

(3) Additional Regulations:

(A) Speed. No person shall operate a snowmobile upon any public right of way or highway within the City of Blair at a speed in excess of ten (10) miles per hour.

(B) Hours of Operation. No person shall operate a snowmobile upon any public highway or other public property, including the public park and recreation area, Lake Henry or upon any private premises within the City of Blair between the hours of 1:00 A.M. and 8:00 A.M.

(C) Restrictions on Operators. No person under the age of sixteen (16) years shall operate nor shall any snowmobile owner knowingly authorize such person to operate a snowmobile within the City of Blair, unless by Operator's Certificate issued under the supervision of the Department of Natural Resources.

(D) Unattended Vehicles. No person shall leave or allow a snowmobile owned or operated by him to remain unattended on any public highway or any public property while the motor is running or with the starting key left in the ignition.

(E) Operation on Sidewalks Prohibited. No person shall operate a snowmobile on any sidewalk within the City of Blair.

(F) Operation on Private Premises Restricted. No person shall operate a snowmobile on any private property not owned or controlled by him within the City of Blair without the expressed consent or permission of the owner.

(4) Penalties.

Any person who shall violate any provision of this ordinance shall, upon conviction thereof, forfeit not less than fifty dollars ($50.00) nor more than two hundred fifty dollars ($250.00) for each offense, together with the costs of prosecution. Failure to pay the forfeiture may result in confinement in the county jail as ordered by the Circuit Judge for Trempealeau County.

38.02 OTHER VEHICLES.

(1) Definitions.

Unless otherwise provided herein, definitions as set forth in Chapter 340, Wis. Stat. are hereby adopted by reference as if set forth herein; specifically, §340.1(5)(29m)(30)(33) is adopted.

(2) State Traffic Code Adopted.

The Council believes public policy is well served by the adoption of a uniform traffic enforcement regulation as it relates to all vehicles. Therefore, the Wisconsin State Traffic Code, as contained in Chapters 340 to 349, Wis. Stat. is hereby adopted by reference and made a part of this Ordinance as if fully set forth herein and applied to all other vehicles as defined in subsection (1) above.

38.03 ALL-TERRAIN AND UTILITY TERRIAN VEHICLES ON CERTAIN CITY STREETS

(1) Intent and Statutory Authority.

The purpose of this section is to establish certain City streets as being open to use by all-terrain vehicles and utility terrain vehicles to aid in gaining access to all- terrain vehicle and utility terrain vehicle ("ATV/UTV") trails and amenities in a way that is consistent with public rights and interests pursuant to § 23.33(8)(b) and (11), Wis. Stats. The applicable provisions of 23.33 regulating ATV/UTV operation pursuant to routes are hereby adopted.

(2) Authorized Operation and Routes.

(A) Under Wis. Stat. s. 23.33(8)(b)2, the City of Blair authorizes all city-maintained roads, streets, alleys, and highways, including any city-maintained parking lots, except connecting highways, as open to all-terrain vehicle ("ATV") or utility terrain vehicle ("UTV") use, except as otherwise posted; and

(B) Under Wis. Stat. s. 23.33(11)(am)4, the City of Blair authorizes the operation of ATVs or UTVs on all state, connecting and county highways with a posted speed limit of 35 MPH or less within the territorial boundaries of the City, except as otherwise posted.

(C) The City of Blair Police Department may temporarily close any ATV/UTV route whenever conditions, in the Police Chief's discretion, require closure.

(D) Highway 95 from the intersection of N Gilbert Street to the intersection of W Mill Drive shall be open to ATV and UTV travel and operation with the following requirements per Wis. Stat. Sec. 23.33(11)(am)(3):

i.) ATV's/UTV's must cross the bridge in the most direct manner practicable and at a place where no obstruction prevents a quick and safe crossing.
ii.) ATV's/UTV's must stay as far to the right of the roadway or shoulder as practicable.
iii.) ATV's/UTV's must stop the vehicle prior to the crossing the bridge.
iv.) ATV's/UTV's must exit the highway as quickly and safely as practicable after crossing the bridge.

(3) Conditions.

As a condition for the use of the route, the following conditions shall apply to all operators (and passengers):

(A) State Traffic Laws Adopted. Except as otherwise specifically provided in this ordinance/code, the statutory provisions in Chapter 23, 340 to 348, and 350 of the Wisconsin Statutes, describing and defining regulations with respect to vehicles and traffic, and Chapter NR 64, All Terrain Vehicles, WI-DNR, as amended, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment are hereby adopted and by reference made a part of this section as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this section. Any future amendments, revisions, or modifications of the statutes incorporated herein are intended to be made part of this section in order to secure uniform statewide regulation.

(B) Repealed 11-19-2025

(C) All ATV/UTV operators shall ride single file.

(D) Repealed 11-6-2023

(E) Liability insurance is required on ATV/UTV's operated on public roads in the City of Blair and every person who operates an ATV or UTV on any street/road/highway in the City of Blair shall have in his or her immediate possession proof of liability insurance. The ATV/UTV operator shall display the proof of insurance upon demand from any Law enforcement officer, state patrol officer, inspector under Wis. Stats. § 110.07(1), or conservation warden.

(F) No chains or studs are allowed on ATV/UTV wheels.

(G) No open intoxicants are allowed on any ATV while being operated within the City of Blair.

(4) Enforcement.

The provisions of this ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin. Adoption of this ordinance shall not prohibit any law enforcement officer or DNR warden from proceeding under any other ordinance, regulation, statute, law, or order that pertains to the subject matter addressed herein.

(5) Penalties.

First Offense violations will be subject to a forfeiture of $150.00;

Second and subsequent violations will be subject to a forfeiture of $250.00 per offense.

38.04 GOLF CARTS

(1) Purpose and definitions.

(A) Purpose. The purpose of this Section is to provide a means of travel that is not only convenient and safe, but conserves resources and protects the environment. Golf carts, if properly used, are an effective way to travel for short distances within the City of Blair. However, to ensure the public safety and welfare, the operation of golf carts must not only comply with normal regulations regarding vehicles, but must also comply with special safety regulations intended to protect the operator and passengers in a vehicle that is primarily designed for operation on a golf course or recreational purposes. This chapter establishes the basic, minimum standards of care to be used by the operators of golf carts on public roads, streets and highways. Likewise, the public safety requires that golf carts, used as a means of transportation, must also meet certain minimum safety standards that can only be assured through a system of registration and inspection. The registration and inspection of golf carts is required in order to protect the public health, safety and welfare.

(B) Definitions. For purposes of this chapter, these definitions shall also apply throughout this chapter.

"GOLF CART" -A vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding 20 miles per hour.

"City" – Means within the municipal boundaries of the City of Blair, Wisconsin.

(2) Operation of golf carts allowed; exceptions.

(A) Allowed. The operation of golf carts on the public streets within the City in compliance with the provisions of this section shall be permitted; however, it shall be unlawful to operate any golf cart that is not properly registered with the City or to operate any golf cart at any place or in any manner not authorized herein.

(B) Exceptions. The operation of golf carts is not subject to the provisions of this chapter under the following circumstances:

1.) The operation of golf carts at golf courses, private clubs or on private property, with the consent of the owner; or
2.) The use of a golf cart in connection with a parade, a festival or other special event, provided the consent of the sponsor is obtained and provided such vehicle is only used during such event.

(3) No person who is less than 16 years of age or who does not have a valid driver's license issued under or granted by the laws of Wisconsin or some other state may operate a golf cart on any public street within the City. For purposes of this section, a learner's permit shall not be considered as a valid driver's license nor shall any license that has been revoked, temporary or otherwise, or suspended for any reason, be considered as a valid driver's license during the period of suspension or revocation.

(4) Registration.

(A) Required. No golf cart may be operated on any public street within the City unless the golf cart has first been registered with the Blair Police Department as required herein. The registration shall be renewed thereafter in accordance with the provisions of this section. To evidence the registration, the owner shall be issued an annual permit which shall be displayed in a prominent, visible place on the rear fender of the golf cart or at such other place as may be approved by the Police Department. The permit may contain a registration number assigned for the particular golf cart and may contain an expiration date.

(B) Registration fee. A registration fee in the amount of $50 bi-annually, or such other amount as may be established and published in the Schedule of Fees adopted by the City Council from time to time, as amended, shall be paid to the City at the time the application for registration is filed with the Blair Police Department or for any renewal of the application.

(C) Application. The application for registration shall be made to the Blair Police Chief, or to some other person designated, on forms provided by the City Clerk. The application may, among other things, require the owner's name, street address, mailing address, a phone number, the make, model and identification or serial number of the golf cart, proof of insurance and such other information as may be reasonably required as well as a release or disclaimer of liability by the City for accidents involving the registered golf cart.

(D) Procedures. The Chief of Police may establish written procedures, consistent with this chapter, setting out the process and the procedure, including the form of the application, the checklist for items to be inspected and the type of sticker, plate or tag evidencing the issuance of the registration permit.

(E) Inspection. Prior to issuing the initial registration permit, the golf cart shall either be inspected, or in place of inspection, the Blair Police Department may require photographs submitted of the golf cart, to determine that:

1.) The golf cart is equipped with a rear vision mirror and at least two red rear reflectors at least three inches in height and width;

2.) The golf cart is equipped with a reflective "slow moving sign" or "flag" on the rear of the cart;

3.) The brakes provided by the manufacturer of the golf cart are in proper working order;

4.) The golf cart has all of the standard safety features provided by the manufacturer and has not been modified to exceed a speed of 20 miles per hour, nor otherwise modified in any way that creates a hazard; and

5.) The golf cart is equipped with all mechanical systems and safety equipment required by this chapter.

(F) Denial and revocation. The initial registration of a golf cart may be denied or subsequently revoked by the Blair Police Department if it is determined that:

1.) The application contains any material misrepresentation;

2.) Financial responsibility requirements of the State of Wisconsin (liability insurance) have not been met;

3.) The golf cart is not in compliance with the requirements set out above;

4.) The golf cart has been altered or customized and no longer meets the definition of a golf cart;

5.) Equipment supplied by the manufacturer, especially safety equipment, has been removed from the golf cart or the vehicle identification or serial number removed; or

6.) Other good cause shown including repeated violations of this chapter.

(G) Financial responsibility. The owner of a golf cart required to be registered with the City for use on the public streets of the City shall maintain in full force and effect and continuously throughout any period of registration the same minimum amounts of insurance as are required of motor vehicles by the State of Wisconsin.

(5) Manner of operation. Golf carts shall not be operated on the public streets of the City, except in full compliance with the provisions of this section.

(A) Hours of operation. Golf carts may be driven on approved public streets from ½ hour after sunrise until ½ hour before sunset. Golf carts may not be operated when fog, smog, smoke or other conditions reduce visibility so that the golf cart is not visible for a distance of 250 feet.

(B) Streets. Golf carts may not be operated on any of the following streets or sections of any street except for the sole purpose of crossing such street

either at a signalized intersections or at a perpendicular crossing at a through intersection:

1.) US Highway 95

2.) Any street where the posted speed limit is more than 35 miles per hour.

(C) Motor vehicle laws. All laws regarding the use of motor vehicles in the State of Wisconsin and all ordinances regarding the use of motor vehicles in the City, not inconsistent therewith, shall be observed, except that no golf cart may be operated at a speed in excess of 20 miles per hour.

(D) Right-of-way. The operator of a golf cart shall yield the right-of-way to overtaking motor vehicles.

(E) City property and sidewalks. Golf carts shall not be operated on any sidewalk, pedestrian walkway, jogging path, greenway, park, unless authorized by official action by the City Council. Notwithstanding anything herein to the contrary, golf carts shall not be operated on property owned or leased by the City except with the express written consent of the City of Blair and /or the Chief of Police and upon the terms and conditions as may be set forth in such written permission.

(F) Golf cart capacity. The seating capacity (normally no more than four passengers) shall not be exceeded nor shall the operator nor any passenger be permitted to stand while the golf cart is in operation.

(G) Commercial purposes. Golf carts may not be used as a ride for fare, taxicab, uber, or bus, or for the commercial carrying of passengers, or the hauling of freight.

(H) Parking. Golf carts may only be parked in the same manner and at the same places designated for the parking of motor vehicles. The stopping, standing or parking of golf carts in areas where parking is not allowed or in any place that impedes the flow of traffic, pedestrian walkways or a passageway is prohibited.

1.) Towing. Golf carts may not be used for the purpose of towing another cart, trailer, or vehicle of any kind including a person on roller skates, skateboard or bicycle.

(6) Disclaimer and liability

(A) Disclaimer. Golf carts are not designed for nor manufactured to be used on public streets and the City neither advocated nor endorses the golf cart as a safe means of travel on public streets, roads, and highways. The City in no way shall be liable for accidents, injuries or death involving the operation of a golf cart.

(B) Assumption of risk. Any person who owns, operates or rides upon a golf cart on a public street, road or highway within the City does so at his or her own risk and peril and assumes all liability resulting from the operation of the golf cart.

(7) Violations and penalties. If any person shall violate this chapter, he or she shall be guilty of a forfeiture and shall be fined $150.00 for the 1st offense and $250.00 for each subsequent violation.

August 2, 2021 – repealed and recreated Section 38.03
August 21, 2021 – created Section 38.03
October 3, 2022 – created 38.04
November 22, 2023 – repealed 38.03(3)(d)
November 22, 2023 – amended 38.03(3)(e)
November 19, 2025 – repealed 38.03 (3)(b)
May 27, 2026 – amended/added 38.03(2)(D)