

ORDINANCE NO. 208

AN ORDINANCE TO PROHIBIT MOTORIZED VEHICLES FROM TRAVELING ON VILLAGE OWNED LAND

WHEREAS, certain lands in the Village of Oconomowoc Lake are owned by the Village of Oconomowoc Lake; and

WHEREAS, the public health and safety of the residents of the Village of Oconomowoc Lake makes it imperative for the Village to adopt certain rules and regulations concerning the use of Village-owned property, in order to ensure the public safety and to provide for the orderly and peacefully use thereof by Village residents,

NOW, THEREFORE, the Village Board of the Village of Oconomowoc Lake, Waukesha County, Wisconsin, DO ORDAIN AS FOLLOWS:

SECTION 1: DEFINITIONS.

- a. **Motorized Vehicle:** For purposes of this Ordinance, a "Motorized Vehicle" shall include any self-propelled vehicle, including but not limited to all terrain vehicles, snowmobiles, golf carts, automobiles, and motorcycles, without limitation by reason of enumeration.
- b. **Village Property:** Village Property as used in this Ordinance shall mean land located in the Village of Oconomowoc Lake that is owned by the Village of Oconomowoc Lake.

This term does not include Village streets or roads.

SECTION 2: PROHIBITION.

No Motorized Vehicle shall operate on Village Property, except as described in Section 3, below.

SECTION 3: EXCEPTIONS.

The prohibition described in Section 2, shall the have the following exceptions:

- a. Village Work. Village-owned Motorized Vehicles may be operated on Village Property for purposes of maintenance, repair, inspection or other similar purpose.

- b. Village Contractor Work. Vehicles used by persons hired by the Village of Oconomowoc Lake may be operated on Village Property for purposes of maintaining the property, repairing the property, or inspecting the property, or other similar purposes for which such person or entity was hired by the Village.
- c. Vehicular Areas. Motorized Vehicles may be operated on Village-owned driveways and parking lots, except as posted otherwise. Motorized Vehicles may be operated on the Village-owned wood lot in designated areas for authorized purposes.
- d. Designated Areas. The Village of Oconomowoc Lake Village Board may designate by Ordinance specific parts of the Village Property for use by Motorized Vehicles, either for particular times or events, or without limitation as to times or events, and such designation if granted shall be marked on a map of such land and attached to such Ordinance which shall be kept on file in the office of the Village Clerk.
- e. Special Permission. The Village Administrator may authorize use of Motorized Vehicles on Village Property on case-by-case basis when the Village Administrator finds that such use is necessary due to an emergency or due to extraordinary circumstances for which Motorized Vehicle use is the only reasonable alternative, or when the Village Administrator finds it to be in the best interest of the Village of Oconomowoc Lake. Such authorization shall not be valid unless made in writing and signed by the Village Administrator. The Village Administrator may limit any such authorization to specific Motorized Vehicles, specific operators, specific portions of the Village Property, and/or a specific date and time.

**SECTION 4: PENALTIES.**

Any person, firm or corporation who fails to comply with the provisions of this ordinance shall upon conviction thereof forfeit not less than Twenty-five Dollars (\$25.00) nor more than One Thousand Dollars (\$1,000.00) and costs of prosecution for each violation and in default of payment of

such forfeiture and costs shall be imprisoned in the County Jail until payment thereof, but not exceeding thirty (30) days.

**SECTION 5: SEVERABILITY.**

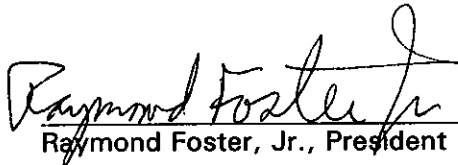
The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

**SECTION 6: EFFECTIVE DATE.**

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 26th day of March, 2003.

VILLAGE OF OCONOMOWOC LAKE

  
Raymond Foster, Jr., President

ATTEST:

  
Barbara Stern, Village Clerk

Published and posted this 26th day of March, 2003.

STATE OF WISCONSIN )  
 )  
COUNTY OF WAUKESHA )

AFFIDAVIT OF POSTING

ORD #208  
Prohibits Motorized Vehicles from  
Traveling on Village Owned Land

The undersigned, being first duly sworn, on oath deposes and states that on

March 26, 2003, at the direction of the Clerk of the Village of Oconomowoc Lake, he posted copies of the foregoing proceedings of the Village Board in the following public places in said Village:

to-wit:

- (1) Opposite the entrance to the Oconomowoc Lake Club on the northern side of the road in front of the Club;
- (2) At the entrance to the Village Hall on West Pabst Road;
- (3) At the Village Boat Launch located at 35622 E. Wisconsin Avenue.

  
\_\_\_\_\_  
Posting Officer

Subscribed and sworn to before me

This 26th day of March, 2003

Barbara Stern  
\_\_\_\_\_  
Notary Public, Waukesha County, Wisconsin  
My Commission expires: 4-20-03