

TOWN OF HARMONY

CHAPTER 8 OF THE MUNICIPAL CODE OF THE TOWN OF HARMONY, WISCONSIN

SMALL MOTOR-DRIVEN VEHICLES

SECTION 1: DEFINITIONS

For the purposes of this Chapter, the following terms are defined:

- (1) “Small Motor-Driven Vehicle” includes a motorcycle, motor bike, mini-bike, moped, motorized scooter, all terrain vehicle, go-cart, golf cart, self-propelled riding lawn mower, garden tractor, or any similar vehicle capable of transporting a human being.
- (2) “Recreational Use” means the operation of a small motor-driven vehicle for the personal enjoyment or gratification of the operator or any other person riding on the vehicle.
- (3) “Non-Recreational Use” means the use of a small motor-driven vehicle for mowing, cultivating, plowing snow, and/or transporting objects from one place to another in a manner which is not for the primary purpose of bringing enjoyment or gratification to the operator. “Non-Recreational Use” does not include the operation of a small motor-driven vehicle in such a manner as is clearly intended for the purpose of causing annoyance to other persons.

SECTION 2: PROHIBITIONS

- (1) Private Property of Another: No person shall operate a small motor-driven vehicle upon the private property of another without the written consent of the owner or lessee of that property.
- (2) Public Property: No person shall operate a small motor-driven vehicle on public property within the Town of Harmony, including parks and roadways, provided that this prohibition shall not be deemed to forbid the operation of a properly-licensed motor vehicle legally operated on a public roadway under the laws of the State of Wisconsin, and that this prohibition shall not be deemed to forbid the operation of a small motor-driven vehicle on public property for non-recreational use by a person duly authorized to maintain public property.
- (3) Other Private Property Restrictions: No person shall operate a small motor-driven vehicle within 200 yards of a residence not occupied by the operator except for the purpose of:

- (A) Non-recreational use;
- (B) Recreational use not to exceed one hour per day during daylight hours after 9:00 a.m., and not to exceed a total of three hours in any calendar week, provided that such recreational use shall be carried out in a manner which is reasonably calculated to avoid unnecessary annoyance to neighboring landowners.

Nothing in this Chapter shall be deemed to forbid the lawful operation of a snowmobile on a trail properly leased for the purpose of snowmobile operation.

SECTION 3: MUFFLER REQUIRED

All small motor-driven vehicles operated within the Town of Harmony shall be equipped with an effective stock muffler.

SECTION 4: PENALTY

Any person convicted of a violation of this Chapter shall be subject to a fine of not less than \$200 nor more than \$400, together with the costs of prosecution. Each day a violation occurs shall constitute a separate offense. In default of payment, the violator shall be imprisoned in the county jail until such fine and costs are paid, with such imprisonment not to exceed 90 days.

SECTION 5: SEVERABILITY

Should any Section or provision of this Chapter be declared invalid, such declaration shall not affect the validity of the remaining portions of this Chapter.

(Chapter Created by Ordinance 120604)