

FILED

FEB 17 1976

GENERAL ORDINANCE 76-I

*Eldon L. Lendis*  
Auditor Wabash Co., Inc.

AN ORDINANCE DESIGNATING HIGHWAYS IN  
THE COUNTY ROAD SYSTEM OVER AND UPON  
WHICH SNOWMOBILES MAY BE OPERATED

Be it ordained and enacted by the Board of Commissioners  
of the County of Wabash, Indiana, as follows:

ARTICLE I

Definitions

SECTION 101. "Operator" means any person who operates or  
is in actual physical control of a snowmobile.

SECTION 102. "Person" means an individual, partnership,  
corporation, the state and any of its agencies or subdivisions,  
and any body of persons whether incorporated or not.

SECTION 103. "Snowmobile" means any motor driven vehicle  
designed for travel primarily on snow or ice of a type which  
utilizes sled type runners or skis, or an endless belt tread  
or any combination of these or other similar means of contact  
with the surface upon which it is operated.

SECTION 104. "Highway, street or right-of-way" means the  
entire width between the boundary lines every way publicly main-  
tained when any part thereof is open to the use of the public  
for purposes of vehicular travel.

ARTICLE II

Highways Designated

SECTION 201. From and after the effective date of this  
ordinance, all highways within the Wabash County Road System,  
excepting such highways as may be located within the corporate  
limits of a city or town, may be utilized for travel by snow-  
mobiles subject to the rules and regulations now existing or  
hereafter enacted by the Department of Natural Resources of the  
State of Indiana and applicable state laws.

ARTICLE III

Restrictions on Operation

SECTION 301. No person shall operate a snowmobile on a county highway within the Wabash County Road System:

(a) At a rate of speed greater than is reasonable and proper having due regard for conditions then existing.

(b) While under the influence of intoxicating liquor or unlawfully under the influence of narcotic or other habit forming or dangerous depressant or stimulant drug.

(c) Without displaying a lighted headlight and a lighted taillight.

(d) In any forest nursery, planting area or public lands posted or reasonably identified as an area of forest or plant reproduction and when growing stock may be damaged.

(e) On the frozen surface of public waters within one hundred (100) feet of a person not in or upon a vehicle or within one hundred (100) feet of a fishing shanty or shelter except at a speed of five (5) miles per hour or less.

(f) Unless it is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke.

(g) Within one hundred (100) feet of a dwelling between 12 midnight and 6 a.m., except on his own property or property under his control or as an invited guest.

(h) On any property without the consent of the landowner or tenant thereof.

(i) While transporting thereon a bow unless unstrung or a firearm unless unloaded and securely encased or equipped with and made inoperative by a manufactured-keylocked trigger housing mechanism.

(j) On or across a cemetery or burial ground.

(k) Within one hundred (100) feet of a slide, ski or skating area, except for the purpose of servicing the area.

(l) On a railroad track or railroad right-of-way, except railroad personnel in performance of their duties.

(m) In or upon any flowing river, stream or creek, except for the purpose of crossing by the shortest possible route, unless of sufficient water depth to permit movement by floatation of this vehicle at all times.

(n) Unless the driver and each passenger is wearing a protective helmet.

SECTION 302. A snowmobile shall not be operated unless it has at least one (1) headlight, one (1) taillight and adequate brakes capable of producing deceleration at fourteen (14) feet a second on level ground at a speed of twenty (20) miles an hour.

#### ARTICLE IV

##### Validity

SECTION 401. All ordinances or part of ordinance in conflict herewith are hereby repealed.

SECTION 402. The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance.

#### ARTICLE V

SECTION 501. The use of snowmobiles on the County Road System of Wabash County shall be permitted under this ordinance from the 1st day of November of each year to and including the 15th day of April of each year.

SECTION 502. Passed and adopted by the Board of Commissioners of Wabash County, Indiana, this 17<sup>th</sup> day of February, 1976.

THE BOARD OF COMMISSIONERS OF  
WABASH COUNTY, INDIANA

Elen A. Belsy  
Clarence Bourman  
Engine Schenkel

Attest:

Eldon L. Landis  
ELDON L. LANDIS,  
AUDITOR