

ORDINANCE NO. 2010-01

Ordinance Amending Section 7.10 of the Municipal Code in respect to Snowmobile Trail Grooming Machines

WHEREAS, Snowmobile Trail Grooming Machines have caused damage to Town property along Town roads, along the shoulders to Town roads, and in Town road right-of-ways;

NOW, THEREFORE, the Town Board of the Town of Kewaskum, do ordain as follows:

SECTION 1. Section 7.10(5) of the Municipal Code shall be amended as follows:

- (5) Snowmobile Trail Grooming Machines Prohibited.
 - (a) Grooming Machines Prohibited. It shall be unlawful to operate any Snowmobile Trail Grooming Machines, tractors, machinery, or the like on any Town Property, including but not limited to any Town roads, Town road right-of-ways, Town road shoulders, Town parks, Town parking lots, or any other Town Property.
 - (b) Costs of Repair. In addition to the penalty provisions provided in Section (7) below, in the event Town property is damaged as a result of a violation of this Section, the Town shall be entitled to reimbursement of all of its costs to restore, repair, and remedy such damage to Town Property from the individual causing such damage.
 - (c) Notice and Circuit Court Action. Within ten (10) days of restoring, repairing, or remedying any such damage, the Town shall send notice to the person causing such damage directing said person to pay the restoration and/or repair costs associated with such damage within ten (10) days. In the event said restoration and/or repair costs are not paid within ten (10) days of the date of the notice, the Town may commence an action in Circuit Court to collect said costs, including the Town's reasonable attorney fees in bringing said Circuit Court action. Notice shall be deemed given if sent via certified mail, return receipt requested.

SECTION 2. Section 7.10(5) of the Municipal Code shall be renumbered to Section 7.10(6).

SECTION 3. Section 7.10(6) of the Municipal Code shall be renumbered to Section 7.10(7).

Dated this _____ day of _____, 2010.

Ellis R. Kahn, Chairman

Allen E. Hron, Supervisor

Daniel H. Schmidt, Supervisor

Introduced: _____, 2010

Adopted: _____

Attest: _____
Nancy Boden, Clerk