

ORDINANCE NO. 1 1976

AN ORDINANCE AMENDING AND REINACTING ORDINANCE NO. 1 -1969, DEFINING OVER-SNOW VEHICLES, PROVIDING FOR THE LIMITED USE OF OVER-SNOW VEHICLES WITHIN THE TOWN OF SUNDANCE: PROVIDING FOR REGULATION THEREOF AND FOR PENALTIES FOR VIOLATION, AND DECLARING AN EMERGENCY EXISTS AND PROVIDING SAID ORDINANCE IN FULL FORCE AND EFFECT AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION.

Be it ordained by the governing body of the Town of Sundance, Crook county, Wyoming,

Section 1: AMENDING AND REINACTING CLAUSE. That Ordinance No. 1-1969, be and the same is hereby amended and reinacted as follows:

Section 2. DEFINITIONS: Over snow vehicle is hereby defined as a mechanically driven vehicle designed for transportation over snow, the motive force of which is applied through a revolving track guided by skis or a front wheel.

Section 3. SAVINGS CLAUSE: Should any part of this Ordinance be ruled invalid or unconstitutional, the balance thereof shall remain in full force and effect.

Section 4. PROHIBITED VEHICLES. No over snow vehicle shall be operated within the corporate limits of the Town which are propeller driven or which have tracks capable of damaging the road surface, or which have a gross weight exceeding one thousand seven hundred fifty pounds.

Section 5. PERMITTED OPERATION. No over-snow vehicle shall be operated on roadways within the Town unless said roadway shall be snow or ice covered.

Section 6. DESIGNATED ROADWAYS. The Town Council may from time to time designate certain streets, avenues, or alleys within the Town along which over-snow vehicles shall not be driven, which designated roadways shall be exhibited at the City Hall and shall be notice to any person using over-snow vehicles and any person driving along said roadway three days after the prohibition and exhibition as aforesaid shall constitute a misdemeanor. Provided however, that it shall not be in violation of this Ordinance to go directly across such designated streets, avenues or alleys.

Section 7. DISPLAY OF FLAG. There shall be exhibited or displayed on every over-snow vehicle operated within the Town a red, yellow, or orange flag or cloth. The flag or cloth herein described shall be a minimum of 24 square inches of material and so hung or suspended at least five feet above the ground level so that the same is visible from all directions while on any roadway.

Section 8. MUFFLER: Every over-snow vehicle shall be at all times equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise or annoying smoke.

Section 9. BRAKES: Every over-snow vehicle shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle.

Section 10. LIGHTS: Every over-snow vehicle operated within the Town between thirty minutes after sunset and thirty minutes before sunrise shall be equipped with an electrical light on the front in good working order and electric or reflector tail light in the rear.

Section 11. SIDEWALKS: No over-snow vehicle shall be operated on the sidewalks of the Town except where necessary to enter or emerge from an alley within the Town.

Section 12. SAFETY EQUIPMENT: It shall be a misdemeanor for any person to drive or move an over-snow vehicle across, on or along any roadway within the Town which is in such unsafe condition as to endanger any person or property, or which is not at all times equipped with such equipment in proper condition and adjustment as required by this Ordinance, or which is equipped in any manner in violation thereof.

Section 13. INSPECTION: The City Police may at any time, upon reasonable cause to believe that an over-snow vehicle is unsafe or not equipped as required by this Ordinance, or that its equipment is not in proper adjustment or repair, require the driver of such vehicle to stop and submit such vehicle to an inspection and test with reference thereto as may be appropriate. No person shall operate any over-snow vehicle after receiving such notice with reference thereto as above provided, until such vehicle and its equipment have been properly repaired and adjusted and otherwise made to conform to the requirements of this Ordinance. Provided however, this section shall not prohibit a person from returning said vehicle to the residence of the owner or to a place of repair.

Section 14. HOURS OF PERMITTED OPERATION: No over-snow vehicle shall be operated within the Town after 10:00 o'clock P.M., or before one half hour before sunrise. Provided however, such section shall not prohibit the owner or operator thereof from going directly out of town or returning directly to the residence of said owner or operator after said hours.

Section 15. RULES OF THE ROAD: All ordinances of the Town pertaining to right-of-ways, speeding, parking, stopping and turning of motor vehicles, to the extent that the same are not in conflict herewith or not applicable to over-snow vehicles, are hereby adopted by reference and made a part hereof, the same as if set forth fully herein. No operator of over-snow vehicles shall operate any over-snow vehicle in violation of said Ordinances.

Section 16. TOWING: Over-snow vehicles shall not pull any skier, sled or other combination vehicle by rope or any flexible coupling.

Section 17. PENALTIES: Any person violating or failing to comply with any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$100.00 or be imprisoned for not more than thirty days, or both such fine and imprisonment, together with costs of prosecution; and upon failure to pay such fine or costs, shall be imprisoned in the Town jail until such fine or costs are paid at the rate of \$1.00 for each day of confinement; provided that no term of imprisonment shall be longer than three months.

Section 18. AGE: No person under the age of 15 years shall drive upon the streets within the Town, provided however, that persons between the ages of 12 and 14 may operate an over-snow vehicle in the town subject to this Ordinance if under the immediate supervision of an adult person, 19 years of age or over.

Section 19. EMERGENCY: Because of danger to life and property and the lack of proper over-snow vehicle control, the Council finds and declares that an emergency exists, that this Ordinance is for the immediate preservation of public peace, safety and welfare and that it shall be in full force and effect from and after its passage, approval and publication.

PURSUANT TO SECTION 5, ORDINANCE NO. 1, 1976, THE ALLEY IN BLOCK 57, FOURTH ADDITION TO THE TOWN OF SUNDANCE, IS HEREBY DESIGNATED AS AN ALLEY WITHIN THE TOWN OF SUNDANCE ALONG WHICH OVER-SNOW VEHICLES SHALL NOT BE DRIVEN. THIS ALLEY IS THE ALLEY RUNNING IN FRONT OF THE CROOK COUNTY MEMORIAL HOSPITAL.

Passed, Approved and Adopted this 2nd day of February, 1976.

City of Sundance, Mayor----- Floyd Carr /s
City of Sundance, Clerk----- Marcia Johnston /s