

All-Terrain and Utility Terrain Vehicles Route Ordinance 2015-04

STATE OF WISCONSIN

Town of Glendale

Monroe County

SECTION I – TITLE AND PURPOSE

The title of this ordinance is the Town of Glendale All-Terrain and Utility Terrain Vehicle ATV/UTV Route Ordinance. The purpose of this ordinance is to establish ATV/UTV routes in the town and to regulate the operation of all-terrain vehicles and utility terrain vehicles in the town.

SECTION II – AUTHORITY

The Town Board of the Town of Glendale, Monroe County, Wisconsin, has the specific authority to adopt this All-Terrain and Utility Terrain Vehicle Ordinance under s. 23.33 (8) (b) and (11)(a), Wis. stats., and 64.12 of the Department of Natural Resources Administrative Code.

SECTION III – ADOPTION OF ORDINANCE

This ordinance adopted on proper notice with a quorum and roll call vote by a majority of the town board present and voting, provides the authority for the town to designate ATV/UTV routes in town and to regulate the use of those routes and of ATV/UTV's in the town. Additionally the provisions describing and defining regulations with respect to ATV/UTV in the following enumerated Subsections of Sec.23.33, Wis. Stats., and any future amendments or revisions, are hereby adopted by reference and made part of this Section as if fully set forth herein.

IV – OPERATION OF ALL-TERRAIN VEHICLES and UTILITY TERRAIN VEHICLES

Pursuant to s. 23.33 (4) (d) 4., Wis. stats., except as otherwise provided in s. 23.33 (4), Wis. stats., no person may operate an ATV/UTV on the roadway portion of any highway in the town except on roadways that are designated as ATV/UTV routes by this ordinance. Operation of all-terrain vehicles ATV/UTV's on a roadway in the town that is an ATV/UTV route is authorized only for the extreme right side of the roadway except that left turns may be made from any part of the roadway that is safe given prevailing conditions. All tires must stay on the pavement; no off the shoulder riding.

SECTION V – DESIGNATION OF ALL-TERRAIN VEHICLE and UTILITY TERRAIN VEHICLE ROUTES

The following routes are designated ATV/UTV routes in the town: All roads under the jurisdiction of the Town of Glendale are designated as ATV/UTV Routes.

SECTION VI – CONDITIONS APPLICABLE TO ALL-TERRAIN VEHICLE and UTILITY TERRAIN VEHICLE ROUTES

A. Routes shall be marked with uniform ATV/UTV route signs in accordance with s. NR 64.12 (7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking town ATV/UTV routes:

1. Intentionally remove, damage, deface, move, or obstruct any uniform ATV/UTV route or trail sign or standard or intentionally interfere with the effective operation of any uniform ATV/UTV route or trail sign or standards if the sign or standard is legally placed by the state, any municipality, or any authorized individual.

2. Possess any uniform ATV/UTV route or trail sign or standard of the type established by the department for the warning, instruction, or information of the public, unless he or she obtained the uniform ATV/UTV route or trail sign or standard in a lawful manner. Possession of a uniform ATV/UTV route or trail sign or standard creates a rebuttable presumption of illegal possession.

B. Operation shall be subject to all provisions of s. 23.33, Wis. stats., which is adopted as a part of this ordinance by reference, pursuant to s. 23.33 (11), Wis. stats.

1. The Town of Glendale retains the right to close any and all routes due to misuse. The following are some but not all examples: exceeding the ATV/UTV speed limits, creating ruts in the gravel roads, doing donuts in the road and any other misuse.

C. A copy of this ordinance shall be sent by the town clerk to the Department of Natural Resources, the Monroe County Sheriff's Department.

D. Under the direction of the Town, ATV/UTV route signs shall be provided by and shall be installed by the **Road Runners ATV /UTV Club of Monroe County** or their successor(s). Signage shall be inspected annually and maintained by the **Road Runners ATV/UTV Club of Monroe County** or their successor(s). The Town shall be notified immediately in any change in responsibility for maintenance of the ATV/UTV route signs. Should any signs require replacement, by the Town of Glendale, (due to failure of the club to maintain) they will be billed to the **Road Runners ATV/UTV Club of Monroe County** and their successor(s) at the cost of sign and labor.

1. All ATV/UTV operators shall observe a speed limit of not more than 35mph or the posted roadway speed limit, whichever is lower.

SECTION VII - ENFORCEMENT

This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the state of Wisconsin [and additionally as stated in the Town's citation authority ordinance adopted per s. 66.0113]

SECTION VIII - PENALTIES

The penalties under s. 23.33 (13) (a), Wis. Stats., are adopted by reference.

SECTION IX – SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION X – EFFECTIVE DATE

This ordinance is effective on publication or posting or the installation of all ATV/UTV signs whichever comes latest.

The town clerk shall properly publish this ordinance as required under s. 60.80, Wis. stats.

Adopted this 10th day of August, 2015.

Attested by: _____ Signed: _____
Cheryl Scheeter, Clerk Raye Walz, Chairman