

Chapter 319

All-Terrain Vehicle (ATV) and Utility Terrain Vehicle (UTV) Route Ordinance

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§319-7. Effective Date

(HISTORY: Adopted by the Town Board February 14, 2017)

§319.1.

(a) Applicability:

A sole ordinance to regulate recreational vehicles upon all roadways located in the Town of Washington within the County of Door and prescribing penalties for violations thereof ordains as follows:

(b) Adoption of State ATV and UTV Laws and Definitions

State ATV and UTV laws and definitions found in Wisconsin State Statutes 23.33 and Wisconsin Administrative Code NR 64 are adopted by reference and fully incorporated herein by reference, pursuant to Wisconsin State Statutes 23.33 (11)(a).

(c) Local Restrictions

Signage

- No person may operate an ATV or UTV on the roadway portion of any highway in the town unless it has been designated and properly signed, in accordance with Wisconsin Natural Resources Administrative Code NR 64.12(7)(c) as an ATV and/or UTV route, by this ordinance.

Operation on roadway

- All ATV and UTV operation on any portion of a designated route shall be on 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.

Single File

- All ATV and UTV operation on any portion of a designated route shall be single file in a line of ATVs and or UTVs arranged one behind another.

Speed Limit

- All ATV and UTV operation on any portion of a designated route shall not exceed 25 miles per hour (MPH) or the posted speed limit for ATV and UTV whichever is lower.
- No person may operate an ATV or UTV faster than 10 MPH on Main Road between Michigan Road and Town Line Road.

Trespass

- No person may operate an ATV or UTV anywhere other than on established and signed ATV routes or permission granted by property owner.

(d) Enforcement This ordinance shall be enforced by:

- Any law enforcement officer authorized to enforce the laws of the State of Wisconsin

(e) Repeal of conflicting ordinances

- Any and all former ordinances or parts of ordinances regulating ATV and or UTV operation on roadways listed in this ordinance that are in conflict with this ordinance heretofore enacted by this governing body are hereby repealed.

§319.2 Intent

The intent of this ordinance is to provide for the safety, welfare, healthful conditions and enjoyment of recreational vehicle enthusiasts and private landowners consistent with public rights, interests and capabilities of the areas listed.

§319.3 - (a) Sign Standards (b) Sign Posting and Maintenance (c) MOUs and Contracted Services

(a) Sign Standards

- Signs for ATV and UTV routes designated for use by this governing unit having jurisdiction as authorized under §23.33 (8), Stats., shall meet the requirements established under Natural Resources Code Administrative Law (NR) NR 64.12(7)(a-d)

(b) Sign Posting and Maintenance of Signs

- The governing entity is responsible for the placement, maintenance and upkeep of said signs.
- All ATV and UTV Routes established herein shall be considered closed unless signed according to provisions set forth in NR 64.12(7)(c)

(c) MOUs and Contracted Services

- Any and all signs identified in this ordinance, whether regulatory and non-regulatory may be placed and maintained by memorandum of understanding or contracted services managed through the governing entity. In addition, governing entity may; at any time change, amend or terminate such agreement for any cause.

§319.4 - Recording and Filing of Recreational Vehicle Related Ordinance

The Town of Washington clerk shall immediately send a copy of the ordinance to the Wisconsin Department of Natural Resources (WDNR), to the state traffic patrol, and to the office of any law enforcement agency of each county, town, city, or village having jurisdiction over any of the highways to which the ordinance applies per Wisconsin State Statute 23.33(11)(b).

§319.5 Penalties

Wisconsin State ATV and UTV penalties as found in Wisconsin State Statutes 23.33(13) and deposits as established in the Uniform Deposit and Bail Schedule established by the Wisconsin Judicial Conference, are hereby adopted by reference and all references to fines amended to forfeitures and all references to imprisonment deleted.

§319.6 Severability

The provisions of this Ordinance shall be deemed severable and it is expressly declared that the Town of Washington would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected.

§319.7 Effective Date

This ordinance will become effective upon passage and the day after publication.
This ordinance passed on the *14th* day of *February 2017*.