

# All ATV UTV Routes Ordinance number 2013-01

STATE OF WISCONSIN

Town of Eau Galle

St. Croix County

## SECTION 1- TITLE AND PURPOSE

The title of this ordinance is the Town of Eau Galle ATV UTV Routes Ordinance. The purpose of this ordinance is to establish all-terrain vehicle routes in the town and to regulate the operation of all-terrain vehicles in the town per Wi Statue 23.33

## SECTION 2- AUTHORITY

The Town Board of the Town of Eau Galle, St Croix County, Wisconsin, adopts this Ordinance by authority of WI Statue 23.33

## SECTION 3- OPERATION OF ALL-TERRAIN VEHICLES

Pursuant to s.23.33(4)(d4)., Wis Stats, except as otherwise provided in s.23.33 (4) Wis. Stats, no person may operate an all-terrain vehicle on the roadway of any highway in the town except on roadways that are designated as all-terrain vehicle routes by this ordinance. Operation of all-terrain vehicles on a roadway in the town that is an all-terrain vehicle 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 the prevailing conditions. On paved roadways all-terrain vehicles must be operated on the paved portion of the roadway and not on the gravel shoulder.

## SECTION 4- CONDITIONS APPLICABLE TO ALL-TERRAIN VEHICLE ROUTES

Pursuant to s.23.33 (8)(d), Wis Stats, the following restrictions are placed on the use of the town all-terrain vehicle routes designated in this ordinance:

- A. Routes shall be marked with uniform all-terrain vehicle route signs in accordance with s.NR64.12 (7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking town all-terrain vehicle routes.
  1. Intentionally remove, damage, deface, move, or obstruct any uniform all-terrain vehicle route or trail sign or standard or intentionally interfere with the effective operation of an uniform all-terrain vehicle trail sign or standards if the sign or standard is legally place by the state, any municipality or any authorized individual.
  2. Possess any uniform all-terrain vehicle route or trail sign or standard of the types established by the department for the warning, instruction or information of the public, unless he or she obtained the uniform all-terrain vehicle route or trail sign or standard in a lawful manner. Possession of a uniform all-terrain

vehicle route or trail sign or standard creates a reasonable presumption of illegal possession.

- B. Operation shall be subject to all provisions of s23.33, Wis Stats, which is adopted as a part of this ordinance by reference, pursuant to s23.33 (11), Wis. Stats.
- C. A copy of this ordinance shall be sent by the town clerk to the St. Croix County Sheriff Department.
- D. In addition to the provisions of s23.33 Wis. Stats, the following restrictions are in place for operators on the town all-terrain vehicle routes designated by this ordinance.
  - 1. All ATV/UTV operators shall observe a speed limit of not more than 35 MPH or the posted roadway speed limit, which ever is lower.
  - 2. All ATV/UTV operators shall ride single file.
  - 3. The allowed hours of operation shall be 24hrs a day on all Town Roads
  - 4. Access to the route shall only be at established driveways.
  - 5. All ATV/UTV operators or occupants under 18 years old shall wear helmets.
  - 6. Lights must be on at all times.
  - 7. Town road ATV/UTV routes will be open to use from March 1 to December 15.
  - 8. All ATV/UTV operators born on or after January 1, 1988 shall possess a valid state issued ATV Safety Certificate.
  - 9. All ATV/UTV operators under 16 years old must be in direct supervision of a parent or legal guardian when operating on a designated all-terrain vehicle route.
  - 10. Approved hand signals shall be required when ever the operator intends to change speed or direction.
  - 11. On all roads shared with another jurisdiction the most restrictive Ordinance shall apply.

#### Section 5- ENFORCEMENT

This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.

#### Section 6- PENALTIES

The penalties in s23.33 (13)(a), Wis Stats are adopted by reference.

#### Section 7- SEVERABILITY

If any provision of the ordinance or its application to any person or circumstances is held invalid, the invalidity does not affect the 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 8- EFFECTIVE DATE

If there is serious misuse of the privilege, the ordinance or designated routes may be canceled at any time by decision of the Eau Galle Town board.

The town clerk shall properly post this ordinance as required under s60.80, Wis. Stats.

Adopted this \_\_\_\_\_12th\_\_\_\_\_ day of \_\_October\_\_\_\_\_, 2015  
Town of Eau Galle

\_\_\_\_\_  
Jim Lund, Chairman

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William Peavy, Clerk, Attest