

TOWN OF WRIGHTSTOWN

Ordinance 2018-01

An ordinance creating Article U of the Town of Wrightstown's Code of Ordinances Regulating the Use of All Terrain Vehicles and Utility Terrain Vehicles and Designating the Routes thereof.

The Town Board of the Town of Wrightstown hereby ordains as follows:

SECTION I: The intent of this chapter is to establish routes and provide for the safe operation of ATV's and UTV's upon designated roadways within the Town of Wrightstown.

SECTION II: Article U of the Town of Wrightstown code of ordinances is hereby created to read as follows:

DESIGNATION AND REGULATOIN OF ATV AND UTV ROUTES.

(1) 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 hereby by reference, pursuant to Wisconsin State Statutes 23.33(11)(a).

(2) Routes

(a) All **town roads in the Town of Wrightstown** as well as any road that is signed in the Town of Wrightstown in accordance with NR 64.12 and NR 64.12(7) (c) (as those sections may hereafter be amended) may be used by ATVs and UTVs in accordance with such signage and as provided by the applicable portions of SS 23.33 Wis States and this ordinance.

(b) The following roads cannot be used by ATVs or UTVs:

1. All County Highways
2. All State Highways
3. All Federal Highways

(3) Local Regulation. The operator of an ATV/UTV shall obey **ALL** State of Wisconsin laws regarding the operation of ATVs/UTVs and the following conditions:

(a) No person may operate an ATV or UTV on the roadway portion of any highway in the town unless it is a **town road** or a road that has been 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.

(b) ATV/UTV routes in the Town of Wrightstown will be open from 5 a.m. to 11 p.m. and closed from 11 p.m. through 5 a.m. year round.

(c) All ATV and UTV operators shall ride on the extreme right side of the pavement except that left turns may be made from any part of the roadway which is safe and given prevailing condition, but shall not operate on the shoulders or in the ditch.

(d) All ATV and UTV operation on any portion of a designated route shall not exceed the posted speed limit.

(e) All ATV and UTV operation on any portion of a designated route shall be single file in a line of ATVs and UTVs arranged one behind the other.

(f) No person under the age of sixteen (16) may operate an ATV on a route or roadway under any circumstances.

(g) All ATVs and UTVS operating on any portion of an established designed ATV or UTV route shall display lighted headlights(s) and taillights conforming to Wisconsin State Statute 23.33 equipment requirements at all times.

(4) Enforcement. This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.

(5) Penalties.

(a) Any person who violates this section shall forfeit not more than \$250.

(b) Nothing in this ordinance is intended to foreclose the enforcement of the provisions of state law with regard to ATV and UTV operation, specifically including Wis Stat 23.33 in a court of competent jurisdiction.

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

SECTION IV - The Town 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 Brown County Sheriff's Department per Wisconsin State Statute 23.33 (11)(b).

SECTION V - This ordinance shall become effective upon its passage and posting according to law.

Adopted this _____ day of _____, 2018.

William Verbeten, Chairman

Ron Diny, Supervisor

Jesse Juedes, Supervisor

Attest to:

Donna Martzahl, Town Clerk