

# **TOWN OF PORT EDWARDS**

## **All-Terrain Vehicle Routes Ordinance 2017-1**

STATE OF WISCONSIN  
Town of Port Edwards  
Wood County

### **SECTION I - TITLE AND PURPOSE**

The title of this ordinance is the Town of Port Edwards All-Terrain Vehicle Route 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 and shall supersede any other ordinance pertaining to same.

### **SECTION II - AUTHORITY**

The Town Board of the Town of Port Edwards, Wood County, Wisconsin, has the specific authority to adopt this All-Terrain Vehicle Route Ordinance under s. 23.33 (8) (b) and (11), Wis. Stats.

### **SECTION III - ADOPTION OF ORDINANCE**

The Town Board of the Town of Port Edwards, Wood County, Wisconsin, by 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 of the town to designate all-terrain vehicle routes in the town and to regulate the use of those routes and all-terrain vehicles in the town.

The Town of Port Edwards shall retain the right to close any town road to UTV/ATV operation for special events, unlawful use, and road construction/repair without advanced notice.

### **SECTION IV - OPERATION OF ALL-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 all-terrain vehicle on the roadway portion 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 prevailing conditions.

## SECTION V - DESIGNATION OF ALL-TERRAIN VEHICLE ROUTES

The following routes are designated all-terrain vehicle routes in the town:

- All Town roads once they are properly signed with appropriate ATV signs.

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

The Town of Port Edwards accepts no liability for the operation of UTV/ATVs on any town road under the provisions of this ordinance. Operation of UTV/ATVs is at the operators own risk. UTV/ATVs that operate on the aforementioned routes shall abide by all state laws regulating UTV/ATV operation.

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 by this resolution:

- A. Routes shall be marked with uniform all-terrain vehicle 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 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 any uniform all-terrain vehicle 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 all-terrain vehicle route or trail sign or instruction of 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 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.
- C. A copy of this ordinance shall be sent by the town clerk to the Wood County Sheriff's Department.
- D. All UTV/ATV operators shall observe posted speed limit of 35 mph. All UTV/ATV operators shall ride single file on the far right hand lane of travel.
- E. The routes shall be open from April 1 through October 31.

**The Town Board reserves the right to rescind this ordinance at any time at its discretion.**

## SECTION VII - ENFORCEMENT

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

## **SECTION VIII - PENALTIES**

The penalties under in 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 application 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. The designated routes shall be reviewed by the Town Board at their discretion.

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

**Adopted this 14<sup>th</sup> day of March 2017.**

Note: Information on all-terrain vehicles generally, including registration requirements and application, can be accessed on the Department of Natural Resources web site at the following address:

<http://www.dnr.state.wis.us/org/caer/cs/Registrations/ATV.htm>

## **SECTION XI - AMENDED DATE**

This Amended Ordinance shall take effect from and after its passage and posting provided by law.

Amended on the\_11<sup>TH</sup>\_day of\_May\_\_2007, by the Town Board of Port Edwards, Wood County.

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Randy Moody, Chairman

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Tim Schmidt, Supervisor

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Jeff O'Donnell, Supervisor

Attested: \_\_\_\_\_  
Michelle Sorenson, Clerk