

Ordinance 208-17

ALL-TERRAIN VEHICLE (ATV) AND UTILITY-TERRAIN VEHICLE (UTV) ROUTES ON HIGHWAYS IN TOWN OF FREEDOM

1 Authorization and purpose.

The Town board has considered the recreational and economic value of all-terrain vehicle (ATV) and utility terrain vehicle (UTV) trail opportunities weighed against protecting the safety of motorists by maintaining the road edge, surface and integrity of the right-of-way, public safety, liability aspects, terrain involved, traffic density, and history of automobile traffic. After due consideration, this ordinance is created pursuant to Town board authority under Wis. Stat. §§ 59.02, 23.33(8) and 23.33(11)(a) and (am).

2 State laws adopted.

Except as otherwise provided in this chapter, the statutory provisions in Wis. Stat. chs. 23, 340 to 348, and 350 establishing definitions and regulations with respect to ATVs and UTVs, and Wis. Adm. Code. ch. NR 64, All-Terrain Vehicles, are hereby adopted and by reference made a part of this ordinance as if fully set forth herein. Unless otherwise provided in this ordinance, any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this ordinance. Any future amendments, revisions or modifications of the statutes incorporated herein are made a part of this ordinance in order to secure uniform statewide regulation of ATVs and UTVs.

3 Designating ATV/UTV routes.

(1) The following roads in the Town of Freedom are designated All-Terrain Vehicle (ATV)/Utility Terrain Vehicle (UTV) Routes:

Camp Road	Happy Hill Road	Museum Road	Schmidt Road
Clingerman Road	High Road	Orchard Road	Seeley Lane
Cox Road	Klein Road	Retgen Road	Stone Church Drive
Dallmann Road	Koch Road	Rock Road	Sugar Road
Denzer Road	Kohlmeyer Road	Ruff Road	Tower Road
Diamond Hill Road	Kosin Road	Schanke Road	Ulrich Road
Freedom Road	Maple Hill Road	Schara Drive	Weinke Road
Granite Drive	McCoy Road	Schara Road	Wilson Road

A copy of designated ATV/UTV routes, along with a map showing their location, shall be kept on file, provided to the sheriff's department, and submitted to the Department of Natural Resources (DNR).

(2) ATVs and UTVs operated on designated routes shall operate on the roadway and not on the shoulder, ditch, or other parts of the highway right-of-way. ATVs and UTVs operated on designated ATV/UTV routes shall:

(a) Cross any bridge in the most direct manner practicable and at a place where no obstruction prevents a quick and safe crossing.

(b) Stay as far to the right of the roadway as practicable.

(c) Yield the right-of-way to other vehicles, pedestrians, and electric personal assistive mobility devices using the roadway or shoulder.

4 Route Signs.

Under the direction of the Town, route signs shall be provided by and shall be marked by the Sauk Ridge Runners ATV Club or their successor with uniform all-terrain vehicle route signs in accordance with Wisconsin Administrative Code § NR 64.12 (7). Signage shall be inspected annually and shall be maintained by the Sauk Ridge Runners ATV Club or their successor. The Town shall be notified immediately in any change in responsibility for maintenance of ATV/UTV Route signs.

5 Regulations on operation and maintenance routes.

(1) The following restrictions shall apply to operation of ATVs and UTVs on designated routes:

(a) ATVs and UTVs shall not be operated on an approved route other than between 7:00 a.m. and 9:00 p.m.

(b) ATVs and UTVs shall be operated on a route at a safe speed not to exceed 35 miles per hour unless a reduced speed is otherwise required by law.

(c) A route is not open to use until signs are installed.

6 Notifications

A copy of this ordinance shall be sent by the Town Clerk to the Sauk County Sheriff's Department, Wisconsin State Patrol, and to the Wisconsin Department of Natural Resources.

7 Enforcement

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

8 Penalties

Any person who violates any section of this ordinance or statutes adopted by reference, shall be subject to the penalties as set forth in Wis. Stats. § 23.33 (13). Any person violating any provision of this Ordinance shall, upon conviction, be subject to the forfeiture as provided under the statute.

9 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. 10 Effective Date This ordinance is effective upon publication of this ordinance. The Town Clerk shall properly publish this ordinance as required under Wis. Stats. § 60.80.

Adopted this 8th day of August, 2017

TOWN OF FREEDOM, SAUK COUNTY, WISCONSIN.

APPROVED:

ATTESTED:

Dennis Rehr, Town Chairman

Jennifer Roloff, Town Clerk

Adopted: 8/8/2017 Published: 8/15/2017

CERTIFICATION

I hereby certify that the above ordinance was duly adopted by the Town of Freedom, Sauk County, Wisconsin, by at least a majority vote of the members of the Town Board on the 8th day of August, 2017, and approved by the Town Chairman on the 8th day of August, 2017.

Jennifer Roloff, Town Clerk