

ALL-TERRAIN VEHICLE ROUTES ORDINANCE 02-2011

STATE OF WISCONSIN

Town of Crescent

Oneida County

SECTION I - TITLE AND PURPOSE

The title of this ordinance is the Town of Crescent 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.

SECTION II - AUTHORITY

The Town Board of the Town of Crescent, Oneida 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 Crescent, Oneida 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 for 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.

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 routes 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. All tires must stay on the pavement no off the shoulder riding.

SECTION V - DESIGNATION OF ALL-TERRAIN VEHICLE ROUTES

The following routes are designated all-terrain vehicle routes in the town: Firetower Rd, Crescent Road, South River Rd. Hat Rapids Road, and all connecting roads thereto.

SECTION VI - 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 by this ordinance:

- 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 standard of the type 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 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. The town clerk shall send a copy of this ordinance to the Oneida County Sheriff Department.
- D. In addition to the provisions of s. 23.33, Wis. Stats., the following restrictions are placed on the use of the town all-terrain routes designated by this ordinance:
1. All ATV/UTV operators shall observe a speed limit of not more than 25 mph or the posted roadway speed limit, whichever is lower.
 2. All ATV/UTV operators shall ride single file.
 3. Anyone under the age of twelve (12) cannot operate an ATV/UTV on a road or route under any circumstances.
 4. Anyone under the age of sixteen (16) cannot operate an ATV/UTV on a roadway without a safety certification.
 5. All ATV/UTV operators under the age of eighteen (18) must wear a helmet.
 6. Lights must be on at all times.

SECTION VII - ENFORCEMENT

Any law enforcement officer authorized to enforce the laws of the State of Wisconsin may enforce this ordinance.

SECTION VIII - PENALTIES

The penalties under 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 applications of this

ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of the ordinance are severable.

SECTION X - EFFECTIVE DATE

This ordinance is effective when the local ATV clubs posts all-terrain vehicle route signs and goes for a probationary period of July 1, 2011 to June 30, 2012 but can be discontinued at any time by the decision of the Crescent Town Board.

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

Adopted this 14th day of June, 2011

Town of Crescent

William Treder, Chairman

Grady Hartman, Supervisor

Adrian Turgeon, Supervisor

Tracy Hartman, Clerk