

ALL-TERRAIN VEHICLE & UTILITY TERRAIN VEHICLE ROUTE ORDINANCE

SECTION I – TITLE AND PURPOSE

The title of this ordinance is the Town of Scott All-Terrain Vehicle and Utility Terrain Vehicle Route Ordinance. The purpose of this ordinance is to establish All-Terrain Vehicle and Utility Terrain Vehicle Routes in the town and to regulate the operation of all-terrain vehicles and utility terrain vehicles in the town.

SECTION II – AUTHORITY

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

SECTION III – ADOPTION OF ORDINANCE

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 and Utility Terrain Vehicle Routes in the town and to regulate the use of those routes and all-terrain vehicles and utility terrain vehicles in the town, and provides for the regulation of the use of those routes and all-terrain vehicles and utility terrain vehicles in the town.

SECTION IV – OPERATION OF ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES

Pursuant to s. 23.33 (4) (d) 4. Wis. Stats., except as otherwise provided in s. 22.33 (4), Wis. Stats., no person may operate an all-terrain vehicle or utility terrain vehicle on the roadway portion of any highway in the town except on roadways that are designated as All-Terrain Vehicle and Utility Terrain Vehicle Routes by this ordinance.

Operation of all-terrain vehicles and utility terrain vehicles on a roadway in the town that is an All-Terrain Vehicle and Utility 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 all-terrain vehicle and utility terrain vehicle operators shall obey all regulatory signs, such as but not limited to, stop signs, yield signs and speed limit signs.

All all-terrain vehicle and utility terrain vehicle operators shall ride single file.

SECTION V – DESIGNATION OF ALL-TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE ROUTES

The following roads are designated All-Terrain Vehicle and Utility Terrain Vehicle Routes in the town: all roads under the jurisdiction of the Town of Scott are designated ATV/UTV routes.

SECTION VI – CONDITIONS APPLICABLE TO ALL-TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE ROUTES

Pursuant to s. 23.33 (8) (e), Wis. Stats., the following restrictions are placed on the use of the town All-Terrain Vehicle and Utility Terrain Vehicle Routes designated by this resolution:

- A. Routes shall be marked with uniform All-Terrain Vehicle and Utility Terrain Vehicle Route signs in accordance with s. 23.33 (8) (e), Wis. Stats. and 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 and Utility Terrain Vehicle Routes:
 - 1. Intentionally remove, damage, deface, move or obstruct any All-Terrain Vehicle and Utility Terrain Vehicle route sign, or intentionally interfere with the effective operation of any uniform All-Terrain Vehicle and Utility Terrain Vehicle Route sign if the sign is legally placed by the state, any municipality, or any authorized individual.
 - 2. Possess any uniform All-Terrain Vehicle and Utility Terrain Vehicle Route sign 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 and Utility Terrain Vehicle Route sign in a lawful manner. Possession of a uniform All-Terrain Vehicle and Utility Terrain Vehicle Route sign 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. 22.33 (11), Wis. Stats.
- C. A copy of this ordinance shall be sent by the town clerk to the Wisconsin Department of Natural Resources and the Monroe County Sheriff's Department.

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 s. 23.33 (13), 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 this ordinance are severable.

SECTION X – EFFECTIVE DATE

This ordinance is effective on publication or posting.

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

Adopted this _____ day of _____, 20 _____.

Charles Huffman, Chairman

Dan Draeger, Supervisor 1

Henry Van Wychen, Supervisor 2

Attest: _____

Jim Van Wychen, Clerk