ORDINANCE NO. 2018-1

ALL-TERRAIN VEHICLE ROUTES, WAUBEEK TOWNSHIP, PEPIN COUNTY

An ordinance designating all-terrain vehicle routes and regulation of all-terrain vehicles

# SECTION I – TITLE AND PURPOSE

* THE title of this ordinance is the Town of Waubeek ATV/UTV Route Ordinance. The purpose is to establish ATV routes in the town and regulate the operation of all-terrain vehicles in the town per

Wis. Stat. 23.33

# SECTION II – STATUTORY AUTHORITY

* The Town Board of the Town of Waubeek, Pepin County, Wisconsin, adopts this ordinance by

authority of Wis. Stat. 23.33

Pursuant to Wis. Stat. 23.33 (4) (d) (4), except as otherwise provided in 23.33 (4), no person

May operate an all-terrain vehicleon the roadway portion of any highway in the town except on

roadways that are designated as ATV routes by this ordinance.

# SECTION III – ROUTES

Designation of county roads within the Town of Waubeek as ATV/UTV routes requires concurrence

from Pepin County and is only in effect in the town after authorization by Pepin County.

The following roads are designated as ATV/UTV routes in their entirety:

Semple Road from County Trunk Hwy D to the boundary with the Township of Waterville and

South Prarie Lane

# SECTION IV – CONDITIONS

As conditions for use of these routes, the following conditions shall apply to all operators of

ATV/UTV’s:

1. Operation shall be subject to all provisions of 23.33 Wisconsin State Statutes, which is

adopted as part of this ordinance by reference to 23.33 (11) Wis. Stat.

1. All ATV/UTV operators shall observe a speed limit of not more than 35 MPH or the posted

roadway speed, whichever is lower.

1. All ATV/UTV operators shall ride single file on the extreme right hand portion of the road.
2. All ATV/UTV operators shall operate their own ATV/UTV under their own insurance policy.
3. All ATV/UTV’s operating on town or county roads must be equipped with functioning brake lights; headlamps must be illuminated when operating.
4. All ATV/UTV operators born on or after January 1, 1988 shall possess a valid state issued ATV Safety Certificate.
5. ALL ATV operators who are at least 12 years old and all UTV operators who are at least 16 years old must be in direct supervision of a parent or legal guardian when when operating on a designated ATV route.
6. All ATV/UTV operators shall observe a night time curfew of 60 minutes after dusk to 60 minutes before dawn (ie: sunrise/sunset)
7. On all roads shared with another jurisdiction the most restrictive ordinance shall apply.
8. All ATV/UTV operators shall trailer their ATV/UTV’s to a designated trail access area. Operation on town roads or county roads unless approved by county ordinance, to access any ATV/UTV trail is prohibited by this ordinance.

# SECTION V – ENFORCEMENT

1. This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the State of WI.
2. If there is a misuse of the privilege, the ordinance or designated routes may be canceled at any time by the decision of the Waubeek Town Board.

# SECTION VI – PENALTIES

Wisconsin State ATV Penalties as found in 23.33 (13) (a) Wis. Stats. are adopted by reference.

SECTION VII – SEVERABILITY

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_, 2018

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Town Chairman

David Klein

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Town Clerk

Shelly Anderson