

## Chapter 347. Vehicles, All-Terrain and Utility Terrain Access Route

[HISTORY: Adopted by the Town Board of the Town of Lake Tomahawk 10-14-2020.<sup>[1]</sup> Amendments noted where applicable.]

### ATTACHMENTS

#### Attachment 1 - Addendum A

[1] *Editor's Note: This ordinance also superseded former Ch. 347, Vehicles, All-Terrain and Utility Terrain Access Route, adopted 6-12-2019.*

### § 347-1. Title and purpose.

The title of this chapter is the All-Terrain Vehicle ("ATV") and Utility Terrain Vehicle ("UTV") Access Route Ordinance. The purpose of this chapter is to establish an ATV and UTV access route in the Town of Lake Tomahawk ("Town") and to regulate the operation of ATVs and UTVs in the Town per § 23.33, Wis. Stats.

### § 347-2. Authority.

The Lake Tomahawk Town Board, Oneida County, Wisconsin ("Town"), adopts this chapter by authority of § 23.33, Wis. Stats.

### § 347-3. Applicability of ATV law to UTV.

[Amended 6-9-2021]

The provisions of this chapter apply equally to ATVs and UTVs. Operation of other nonregistered motorized vehicles, including golf carts, are not covered by this chapter, and operation of these vehicles is forbidden on Town highways.

### § 347-4. Operation of ATVs and UTVs.

Pursuant to § 23.33, Wis. Stats., except as otherwise provided in § 23.33(4), Wis. Stats., no person may operate an ATV or UTV on the roadway portion of any highway in the Town, except on roadways that are designated as ATV and UTV routes by this chapter. Operation of ATVs and UTVs on these routes 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. On the paved roadways, ATVs and UTVs must be operated on the paved portion and not on the shoulder. Maximum speed allowed on roadways shall be 25 miles per hour unless posted as lower.

### § 347-5. Designation of ATV and UTV access route.

All Town highways shall be designated as an access route. The sign location and installation shall be done by the Lake Tomahawk road crew, and any costs associated with this shall be paid for by the Lake Tomahawk ATV/UTV Club. The Town Board can at anytime remove any road as an access route. No Town highway shall be considered, listed, or portrayed in any way as a trail (including digital or printed maps) without the permission of the Town Board. Any Town highway that is removed as an access route by the Town Board shall be signed as such, and the cost of said signing shall be paid for by the Lake Tomahawk ATV/UTV Club. At the discretion of the Lake Tomahawk Town Board and Town crew, the Lake Tomahawk ATV/UTV Club may assist with the installation of signs.

## § 347-6. Conditions applicable to ATV and UTV access route.

Pursuant to § 23.33, Wis. Stats., the following restrictions are placed on the use of the Town ATV and UTV access route designated by this chapter:

- A. The access route shall be marked with uniform ATV and UTV route signs in accordance with Ch. NR 64.12, Wis. Adm. Code. No person may do any of the following in regard to signs marking the Town ATV and UTV access route:
    - (1) Intentionally remove, damage, deface, move, or obstruct any uniform ATV and UTV route or trail sign or intentionally interfere with the effective operation of any uniform ATV and UTV route or trail sign if the sign or standard is legally placed by the state, any municipality, or any authorized individual.
  - B. Operation shall be subject to all provisions of § 23.33, Wis. Stats., which is incorporated as a part of this chapter by reference; except when the regulations of this chapter are more restrictive, this chapter shall apply.
  - C. A copy of this chapter shall be sent by the Town Clerk to the Oneida County Sheriff's Department, the Department of Natural Resources and the Woodruff Police Department.
  - D. In addition to the provisions of § 23.33, Wis. Stats., the following restrictions shall be in place for all operators on all Lake Tomahawk highways:
    - (1) All ATV/UTV operators shall observe a speed limit of 25 miles per hour or the posted speed limit, whichever is less.
    - (2) All operators shall ride in single file.
    - (3) The allowed hours of operation shall be 8:00 a.m. to 9:00 p.m.
    - (4) All operators of an ATV/UTV shall possess and have in their possession a valid driver's license.
    - (5) All operators of an ATV/UTV shall carry the same liability insurance that is required by Wisconsin to operate a vehicle on Wisconsin roadways and must carry proof of said insurance covering the ATV/UTV they are operating with them.
    - (6) Lights must be on at all times, and approved hand signals must be used whenever the operator intends to change speed or direction.
    - (7) Any passenger under the age of 15 shall wear a helmet while operating on Town highways.<sup>[1]</sup>
- [1] *Editor's Note: Former Subsection E, regarding the ATV/UTV season, was repealed 6-9-2021.*

## § 347-7. Enforcement.

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

## § 347-8. Violations and penalties.

Unless otherwise stated, penalties in § 23.33, Wis. Stats., are adopted by reference.

## § 347-9. Severability.

If any provision of this chapter or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this chapter that can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.

## § 347-10. When effective; rescission.

This chapter is effective the day after proper publication or posting by the Town Clerk and shall remain in effect for a trial period of one year, with the following exceptions:

- A. At any time, the Lake Tomahawk Town Board may rescind this chapter.