

TOWN OF SUGAR CAMP

ORDINANCE 2013-1

ALL-TERRAIN VEHICLE ROUTES ORDINANCE Including Utility Terrain Vehicles

STATE OF WISCONSIN

Town of Sugar Camp, Oneida County

SECTION I - TITLE AND PURPOSE

The title of this ordinance is the Town of Sugar Camp All-Terrain Vehicle Routes Ordinance Including Utility Terrain Vehicles. The purpose of this ordinance is to establish all-terrain vehicle routes in the town and to regulate the operation of these vehicles in the town.

SECTION II - AUTHORITY

The Town Board of the Town of Sugar Camp, 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

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. Designates all-terrain vehicle routes in the town and provides for the regulation of the use of those routes and of 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 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.

SECTION V - DESIGNATION OF ALL-TERRAIN VEHICLE ROUTES

All town roads are designated all-terrain vehicle routes in the town.

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 resolution:

- 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 ATV routes:
1. Intentionally remove, damage, deface, move, or obstruct any uniform ATV route or trail sign or standard or intentionally interfere with the effective operation of any uniform ATV 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 ATV 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 ATV route or trail sign or standard in a lawful manner. Possession of a uniform ATV 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. A copy of this ordinance shall be sent by the town clerk to the Oneida County Sheriff's Department.
- D. Operators must follow all State Statutes 23.33 and the restrictions listed below:
1. All ATV / UTV operators shall not exceed speed limits of 35 mph on all Town routes.
 2. All ATV / UTV operators shall ride single file.

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 in 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 this ordinance are severable.

SECTION X - EFFECTIVE DATE

This ordinance is effective one day after posting and placement of ATV signs.

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

Adopted this 17th day of June, 2013

Scott Holewinski, Town Chairman

Scott Holewinski

Paul Sowinski, Town Supervisor

Christopher B Rhode

Christopher Rhode, Town Supervisor

Attest:

Melissa Wick, Town Clerk

Melissa Wick