

STATE OF WISCONSIN  
TOWN OF STOCKBRIDGE  
CALUMET COUNTY

ORDINANCE NO: 2019-02

## ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE ROUTES ORDINANCE

### SECTION I – PURPOSE:

The purpose of this ordinance is to establish ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE routes in the Town of Stockbridge and to regulate the operation of ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLES in the town.

### SECTION II - AUTHORITY:

The Town Board of the Town of Stockbridge, Calumet County, Wisconsin, has the specific authority to adopt this ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE Route Ordinance under s. 23.33 (8) (b) and (11), Wis. stats.

### SECTION III - ADOPTION OF ORDINANCE:

This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, provides the Town of Stockbridge the authority to designate ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE routes in the town and provides for the regulation of the use of those routes and of ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLES in the town.

### SECTION IV – OPERATION OF ALL TERRAIN VEHICLE/UTILITY 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/UTILITY TERRAIN VEHICLE on the roadway portion of any highway in the town except on roadways that are designated as ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE routes by this ordinance. Operation of ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLES on a roadway in the town that is an ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE route is authorized only for the extreme right 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/UTILITY TERRAIN VEHICLE ROUTE:**

- A. Adoption of State ATV and UTV Laws and Definitions: State ATV and UTV law and definitions found in Wisconsin State Statutes 23.33 and Wisconsin Administrative Code NR 64 are adopted by reference and fully incorporated herein by reference, pursuant to Wisconsin State Statutes 23.33 (11)(a).
- B. Routes
1. Any Town road that is signed in accordance with NR 64.12 and NR 64.12(7)c (as those sections may hereafter be amended) may be used by ATVs and UTVs in accordance with such signage and as provided by the applicable portions of §23.33 Wis. Stats and this ordinance.
  2. Under Wis. Stat. s. 23.33(8)(b)1., the Town of Stockbridge **designates** STH 55 from South Moore Road to North Moore Road as an ATV and UTV route.
  3. The following roads **CANNOT** be used by ATVs or UTVs:
    - a. All lettered County Highways (C, E, EE, F)
    - b. State Highways 55 and 151(except as noted under section V(B)(2) above)

**SECTION VI – CONDITIONS APPLICABLE TO ALL TERRAIN VEHICLE/UTILITY 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/UTILITY TERRAIN VEHICLE routes designated by this resolution:

- A. Routes shall be marked with uniform ALL TERRAIN VEHICLE/UTILITY 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/UTILITY TERRAIN VEHICLE routes:
1. Intentionally remove, damage, deface, move or obstruct any uniform ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE route or trail sign or standard, or intentionally interfere with the effective operation of any uniform ALL TERRAIN VEHICLE/UTILITY 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/UTILITY 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/UTILITY TERRAIN VEHICLE route of trail sign or standard in a lawful manner. Possession of a uniform ALL TERRAIN VEHICLE/UTILITY 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. A copy of this ordinance shall be forwarded, by the Town Clerk, to the Department of Natural Resources and Calumet County Sheriff's Department.
- D. Additional restrictions and applicable time periods, if any, for example:
- All ATV/UTV Operators must be 16 years or older
  - All ATV/UTV vehicles must be operated in single file.
  - All ATV/UTV operators shall slow the vehicle to 10 mph or less when operating within 150 feet of a dwelling or 100 feet of any pedestrian.
  - All ATV/UTV operators under the age of 18 must wear a helmet.
  - All ATV/UTV's must have on headlights at all times.
  - All ATV/UTV's must be operated on (paved or graveled) road surfaces only.
  - NO!! ATV/UTV's may be operated on road shoulders or in road ditches.
  - Any or all ATV/UTV routes may be closed at any time at the discretion of the Town of Stockbridge.

#### **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)(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 upon publication or posting. The Town Clerk shall properly publish this ordinance as required under s. 60.80, Wis. Stats.

Adopted this 26 day of June, 2019.

Kenneth Schaefer

Kenneth Schaefer, Town Chair

Mark Ecker

Mark Ecker, Supervisor

Dean Joas

Dean Joas, Supervisor

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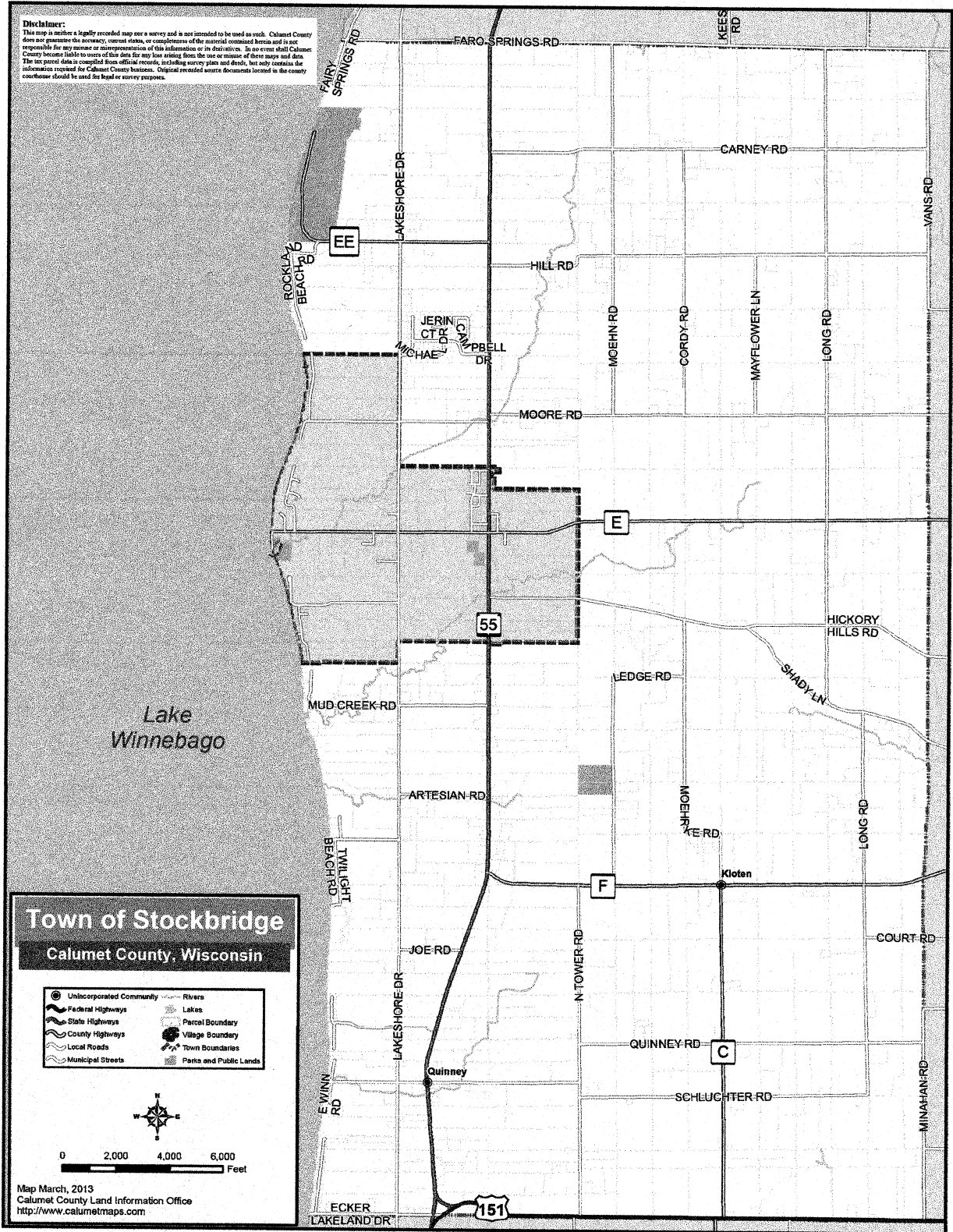
Attested to by: Steve Phipps  
Steve Phipps, Clerk



6/25/2019

ATV-UTV ORDINANCE

ALL TERRAIN VEHICLE / UTILITY TERRAIN VEHICLE ROUTES ORDINANCE



6/25/2019

ATV-UTV ORDINANCE