

## Chapter 32

### Designation of All-Terrain Vehicle/Utility Terrain Vehicle Route(s) and Regulations of all Terrain Vehicle/Utility Terrain Vehicle Operation

Section 1: Title and Purpose. The title of this ordinance is the Town of Tilden All-Terrain and Utility Terrain Vehicle Ordinance hereafter to be referred to as ATV and UTV Route Ordinance. The purpose of this ordinance is to establish ATV and UTV routes in the town and to regulate the operation of ATVs and UTVs in the Town per WI Statute 12.33.

Section 2: Authority. This ordinance is adopted pursuant to the authority vested in the Town of Tilden pursuant to Sec 23.33(4) WI Statute.

Section 3: Adoption of Ordinance. This ordinance adopted on proper notice with a quorum and roll call voted by majority of the town board present and voting, provides the authority for the town to designate ATV and UTV routes in the town and to regulate the use of those routes and ATVs and UTVs in the town.

Section 4: Definitions. As used in this ordinance and WI Statute 23.33

Section 5: Designation of ATV and UTV Routes. The following routes are designated ATV and UTV Routes: 130<sup>th</sup> Avenue west from County Hwy Q to County Hwy C.

125<sup>th</sup> Avenue from trail head heading west to 90<sup>th</sup> Street

90<sup>th</sup> Street south to 120<sup>th</sup> Avenue

120<sup>th</sup> Avenue west from 90<sup>th</sup> Street to 70<sup>th</sup> Street.

70<sup>th</sup> Street south to the Town of Howard.

From the Eagle Point town line to 128<sup>th</sup> Street to 125<sup>th</sup> Street.

125<sup>th</sup> Street south to 120<sup>th</sup> Avenue

120<sup>th</sup> Avenue from the Eagle Point town line to 118<sup>th</sup> Street.

118<sup>th</sup> Street south which transitions into 120<sup>th</sup> Street.

120<sup>th</sup> Street south to County Hwy B.

Section 6: Conditions Applicable to ATV and UTV Routes:

A. Routes shall be marked with uniform ATV/UTV route signs in accordance with S. NR64.12(7), Wisconsin Administrative Code. No person may do any of the following in regards to signs marking town ATV/UTV routes:

1. Intentionally remove, damage, deface, move, or obstruct any uniform ATV/UTV route or trail sign or standard, or intentionally interfere with the effective operation of any uniform ATV/UTV route or trail sign or standards is legally placed by the state, any municipality, or any authorized individual.

2. Possess any uniform ATV/UTV route or trail sign or standard of any type established by the department for the warning, instruction, or information of the public, unless he or she obtained the ATV/UTV route or trail sign or standard in a lawful manner. Possession of an ATV/UTV route or trail sign or standard creates rebuttable presumption of illegal possession.
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- B. Operation shall be subject to all provisions of S23.33, WI Statutes, which is adopted as a part of this ordinance by reference, pursuant to S 23.22(11) WI Statutes.
  - C. Copy of this ordinance shall be sent by the town clerk to the Department of Natural Resources and the Chippewa County Sheriff's Department.
  - D. All ATV/UTV operators shall observe a speed limit of 30 mph or the posted speed limits whichever is lower.
  - E. All ATV/UTV operators shall ride single file
  - F. Roads will be open one half hour before sunrise and one half hour after sunset.
  - G. Roads shall be open from May first through November first.
  - H. All ATV/UTV vehicle operators shall have their headlights and taillights turned on at all times.
  - I. All ATV/UTV vehicles operators and riders under age 18 are required to wear a helmet
  - J. All ATV/UTV vehicle operators must be 16 years of age to operate on designated ATV/UTV routes.
  - K. All ATV/UTV vehicle operators born on or after January1, 1988 shall possess a valid state issued ATV Safety Certificate.
  - L. On all roads shared with another jurisdiction the most restrictive ordnance shall apply.

Section 7: Enforcement. This ordinance may be enforced by law enforcement officer authorized to enforce laws of the State of Wisconsin.

Section 8: Penalties: The penalties under S. 23.33(13)(a) WI Statutes are adopted by reference.

Section 9: Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provision 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 10: Effective Date. This ordinance is effective on publication or posting. The town clerk shall properly publish this ordinance as required under S60.80, Wis. Stats.