

# CODE OF GENERAL ORDINANCES

## TOWN OF GLENMORE

### BROWN COUNTY, WISCONSIN

#### CHAPTER 25

#### ATV / UTV ORDINANCE

CREATED 9/10/2018

#### **SECTION I - TITLE AND PURPOSE**

The title of this ordinance is the Town of Glenmore All-Terrain Vehicle and Utility Vehicle Ordinance. The purpose of this ordinance is to establish all-terrain and utility vehicle routes in the Town and to regulate the operation of such vehicles in the Town.

#### **SECTION II – AUTHORITY**

The Town Board of the Town of Glenmore, Brown County, Wisconsin, has the specific authority to adopt this All-Terrain & Utility Vehicle Ordinance under s. 23.33(8)(b) and (11), Wis. Stats.

#### **SECTION III – ADOPTION OF ORDINANCE**

State ATV and UTV laws 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).

#### **SECTION IV – ROUTES**

- 1) All **Town Roads in the Town of Glenmore** as well as any road that is signed in the Town of Glenmore 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 SS 23.33 Wis States and this ordinance.
- 2) The following roads cannot be used by ATVs or UTVs:
  1. All County Highways
  2. All State Highways
  3. All Federal Highways

#### **SECTION V – LOCAL REGULATION**

The operator of an ATV/UTV shall obey **ALL** State of Wisconsin laws regarding the operation of ATVs/UTVs and the following conditions:

- 1) No person may operate an ATV or UTV on the roadway portion of any highway in the town unless it is a **town road** or a road that has been properly signed, in accordance with Wisconsin Natural Resources Administrative Code NR 64.12(7) (c) as an ATV and/or UTV route, by this ordinance.
- 2) ATV/UTV routes in the Town of Glenmore will be open from 5 a.m. to 11 p.m. and closed from 11 p.m. through 5 a.m. year round, with the exemption of properly licensed agriculture ATV's and UTV's.
- 3) All ATV and UTV operators shall ride on the extreme right side of the pavement except that left turns may be made from any part of the roadway which is safe and given prevailing condition, but shall not operate on the shoulders or in the ditch.
- 4) All ATV and UTV operation on any portion of a designated route shall not exceed the posted speed limit for automobiles or the posted speed limit for ATV/UTV traffic, whichever is lower.
- 5) All ATV and UTV operation on any portion of a designated route shall be single file in a line of ATVs and UTVs arranged one behind the other.
- 6) No person may operate an ATV or UTV on a designated route or roadway unless:
  - a) That person is twelve (12) years of age or older and has obtained a safety certificate from the Department of Natural Resources or,
  - b) That person is sixteen (16) years of age or older and possesses a valid driver's license.
- 7) All ATVs and UTVS operating on any portion of an established designed ATV or UTV route shall display lighted headlights(s) and taillights conforming to Wisconsin State Statute 23.33 equipment requirements at all times.
- 8) All-terrain vehicles may be operated on Brown County highways **only and exclusively** if the ATV/UTV is used exclusively for agricultural purposes pursuant to Wis Stats. 23.33(4)(d)5.

## **SECTION VI - ENFORCEMENT**

This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin, including but not limited to elected Town Officials.

## **SECTION VII – PENALTY**

- 1) Any person who violates this section shall forfeit not more than \$250, plus court fees.
- 2) Nothing in this ordinance is intended to foreclose the enforcement of the provisions of state law with regard to ATV and UTV operation, specifically including Wis Stat 23.33 in a court of competent jurisdiction.

## **SECTION VIII – SEVERABILITY**

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

**SECTION IX – EFFECTIVE DATE**

- 1) The Town clerk shall immediately send a copy of the ordinance to the Wisconsin Department of Natural Resources (WDNR), to the state traffic patrol, and to the Brown County Sheriff's Department per Wisconsin State Statute 23.33 (11)(b).
- 2) This ordinance shall become effective upon its passage and posting according to law.

**Adopted this 10<sup>th</sup> day of September, 2018.**

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**Rick Loppnow, Chairman**

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**Ron Nowak, Supervisor**

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**Tom Klika, Supervisor**

**Attest to:**

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**Cindy Ossmann, Town Clerk**