

ALL-TERRAIN VEHICLE (ATV)/UTILITY-TERRAIN VEHICLE (UTV) ORDINANCE

CHAPTER 15

Amended June 8, 2021

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Sec 15.01 TITLE AND PURPOSE

Chapter 15 of the Code of Ordinances, Town of Grant, Monroe County, Wisconsin entitled “All-Terrain Vehicle (ATV)/Utility Terrain Vehicle (UTV) Ordinance shall be recreated to read as provided herein. The purpose of this ordinance is to establish all-terrain vehicle and utility terrain vehicle routes on public roadways in the town and to regulate the operation of such vehicles on such routes in the town to provide safe and healthful conditions for the enjoyment of ATV/UTV recreation consistent with public rights and interest.

Sec 15.02 Authority: This Chapter is adopted by the powers granted to the Town of Grant by the Town’s adoption of Village powers under Wis Stat. §60.10, 60.22(3) and §61.34, its authority under §66.0415, and other authority under the laws of the State of Wisconsin. Any amendment, repeal or recreation of the statutes relating to this Chapter made after the effective date of this Chapter is incorporated into this Chapter by reference on the effective date of the amendment, repeal or recreation.

Section 15.03 Definitions:

Town: Town of Grant, Monroe County Wisconsin

Board: Town of Grant Town Board

All-terrain Vehicle – (ATV) An engine-driven device which has a net weight of 900 pounds or less, which is originally manufactured with a width of 50 inches or less, which is equipped with a seat designated to be straddled by the operator and which is designed by the manufacturer to travel on three or more low-pressure tires.

All-terrain Vehicle Club – A club consisting of individuals that promote the recreational use of all-terrain / utility-terrain vehicles.

All-terrain Route – A road/avenue designated for use by all-terrain/ utility-terrain vehicle operators by the governmental agency having jurisdiction as authorized under this Chapter.

Operate – To exercise physical control over the speed or direction of an all-terrain/ utility-terrain vehicle or physically manipulate or activate any of the controls of an all-terrain/utility-terrain vehicle necessary to put it in motion.

Utility Terrain Vehicle – (UTV) Means any of the following: A motor-driven device that does not meet federal motor vehicle safety standards; that is not a golf cart, low-speed vehicle, dune buggy, mini-truck, or tracked vehicle; that is designated to be used primarily off of a highway; that has, and was originally manufactured with, all of the following:

- (A) Net weight less than 2,000 pounds.
- (B) Four or more low pressure tires.
- (C) Cargo box.
- (D) Steering wheel.
- (E) Tail light.
- (F) Brake light.
- (G) Two headlights.
- (H) Maximum width of 65 inches.
- (I) Non-straddled seats for at least two people.

- (J) Seat belts for each occupant.
- (K) Roll bar or similar structural system or device.

Section 15.04 Routes:

- (1) All-terrain Vehicle (ATV) and Utility-terrain Vehicle (UTV) Routes – No person, unless authorized by a Private Use-Agricultural Registration, shall operate an all-terrain vehicle on any **Town** road or public property not designated as an all-terrain route.
- (2) Pursuant to Wisconsin Statutes §23.33(8), roads or portions of roads designated all-terrain routes as defined in NR 64.12 Routes Wisconsin Administrative Code within the **Town** are listed on **Addendum #A**
- (3) Additions to Town Road ATV Routes will only be done annually at the June meeting of the Board. Additions will be made by amending Addendum A – Town Road ATV Routes.

Section 15.05 Speed Limit:

All **ATV/UTV** operators shall not operate the vehicle over a speed of 35 mph on designated routes in the **Town**.

Section 15.06 Operating Requirements:

- (1) All **ATV/UTV** operators shall ride single file on the right side of the pavement, but shall not operate on the shoulders or in the ditch.
- (2) Headlights shall be on at all times.
- (3) All **ATV/UTV** vehicles shall yield the right-of-way to other vehicular traffic (including non-motorized vehicles, such as bicycles, and pedestrians.)
- (4) No person shall leave or allow any **ATV/UTV** vehicle owned or operated by him/her to remain unattended on any public highway or public property while the motor is running or with the starting key left in the ignition.
- (5) No owner or person having charge or control of any **ATV/UTV** vehicle shall authorize or permit any person to operate such vehicle who is not permitted under State law or town ordinance to operate such vehicle or who is under the influence of an intoxicant or a dangerous narcotic drug.
- (6) Wisconsin Statutes 23.33(4c), 23.33(4g), 23.33(4j), 23.33(4L), 23.33(4p), 23.33(4t), and 23.33(4x) shall apply to the operation of all **ATV/UTV** vehicles any place within the town.

Section 15.07 Signage:

- (1) It shall be the responsibility of the local Road Runners ATV/UTV Club to place, maintain, and repair appropriate signs marking and regulating use of the designated routes within the **Town**. Signs shall be installed that meet the criteria of Wis. Adm. Code Ch, NR 64 & NR 64.12(7). Although in accordance with NR 64.12(7)(d) the **Town** is responsible for signing designated routes, the Road Runners ATV/UTV Club shall indemnify and hold the **Town** harmless from the cost of purchasing, placing and maintaining any and all required or recommended signs under NR 64.12(7) and to this extent shall be solely responsible for placing, replacing, repairing any damaged, defective or stolen or missing signs. To this extent, but subject to approval of the **Board**, Road Runners ATV/UTV Club is permitted to place ATV/UTV signs on designated routes in the **Town**.
- (2) The local Club will create and circulate a map or maps illustrating the designated routes in the **Town** and will take all reasonable measures to educate riders relative the provisions within this ordinance.

Section 15.08 Enforcement:

- (1) This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.
- (2) The **Town** reserves the right to close any or all routes due to noise, complaints, or damage/condition, through a majority action of the **Board**.

Section 15.09 Penalties:

Wisconsin state **ATV /UTV** penalties as set forth in § 23.33 (13) (a), Wis. Statutes and the Monroe County Police Department Municipal Bond Schedule for **ATV's** and **UTV's** are herein adopted by reference. Any person violating any provision of this Section shall, upon conviction, be subject to the forfeiture as provided in the Bond Schedule except that the forfeiture imposed shall not exceed the maximum fine permitted under the statute.

Section 15.10 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.

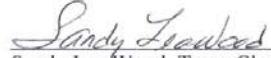
Section 15.11 EFFECTIVE DATE

This ordinance is effective on the date of publication of this ordinance and installation of proper Road Route Signage and legally signed agreement between Town of Grant and Road Runners ATV/UTV Club. The town clerk shall properly publish this ordinance as required under § 60.80, Wis. stats.

APPROVED:


Pete Dorn, Town Chairman

ATTESTED:


Sandy Lea Wood, Town Clerk

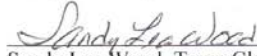

Luke Haun, Town Supervisor


Leland Wildes, Town Supervisor

Adopted: June 8, 2021
Published: June 10, 2021

CERTIFICATION

I hereby certify that the above ordinance was duly adopted by the Town Grant, Monroe County, Wisconsin, by at least a majority vote of the members of the Town Board on the 8th day of June, 2021, and approved by the Town Chair on the 8th day of June, 2021.


Sandy Lea Wood, Town Clerk

Filed 10th day of June, 2021 with:
Town of Grant
Monroe County Police Department
Wisconsin Department of Natural Resources
Roadrunners ATV/UTV Club President

ADDENDUM A
Town Road ATV/UTV Routes

Following all of the rules as provided in Section 23.33, Wis State Statutes, the following Town of Grant roads, when and if posted, are hereby designated as ATV/UTV routes:

- 1) All roads in the jurisdiction within the Town of Grant, Monroe, Wisconsin

As amended and approved by the Town of Grant Board on the 8th day of June 2021