

**ORDINANCE #150702**  
**DESIGNATION OF ALL-TERRAIN VEHICLE (ATV) AND UTILITY-TERRAIN VEHICLE (UTV) ROUTES**  
**AND**  
**REGULATING THE OPERATION OF THESE VEHICLES**

**Section I – Intent**

The purpose of this ordinance is to adopt the following All-Terrain Vehicle and Utility-Terrain Vehicle routes for their operation upon the roadways listed in Section IV and to regulate the operation of All-Terrain and Utility-Terrain Vehicles in the Town of Grand View.

Following consideration of the recreational value to connect trails and weighted against possible dangers, public health, liability aspects, traffic density and history of automobile traffic, the following routes are created.

**Section II – Statutory Authority**

The Town of Grand View, Bayfield County 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**

The Town of Grand View, Bayfield County, by this ordinance adopted on proper notice with quorum and roll call vote by a majority of the Town Board present, provides the authority for the town to designate All-Terrain and Utility-Terrain Vehicles Routes in the Town and to regulate the use of these routes.

**Section IV – Routes**

The following routes are designated All-Terrain and Utility-Terrain Vehicle Routes in the Town of Grand View:

All town roads in the Town of Grand View (this doesn't not include State or County Highways)

**Section V – Conditions**

Pursuant to s. 23.33 (8) (d), Wis. Stats. the following restrictions are placed on the use of the town ATV/UTA routes designated by this ordinance:

- 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 ATV/UTV routes:
  - a. Intentionally remove, damage, deface or obstruct any uniform ATV/UTV route or trail sign or intentionally interfere with the effective operation of any uniform ATV/UTV route or trail if the sign is legally placed by the State, any municipality or any authorized individual.
  - b. Possess any uniform ATV/UTV route or trail sign of the types established by the department for the warning, instruction of information of the public, unless he or she obtained the uniform ATV/UTV route or trail sign in a lawful manner. Possession

of a uniform ATV/UTV route or trail sign 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 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 Bayfield County Sheriff Department.
- D. In addition to the provisions of s. 23.33, Wis. Stats. the following restrictions are placed on the user of the Town ATV/UTV Routes designated by this ordinance.
  - a. All ATV/UTV riders shall observe a speed limit of 45 MPH or the posted roadway speed limit, whichever is lower.
  - b. All ATV/UTV riders shall ride single file.
  - c. Lights must be on at all times.

**Section VI – Enforcement**

This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.

**Section VII – Penalties**

Wisconsin State All-Terrain Vehicle penalties as found in s. 23.33 (13) (a) Wis. Stats. are adopted by reference.

**Section VIII – Severability**

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

**Section IX – Effective Date**

This ordinance becomes effective upon signing on July 2, 2015 and shall remain in effect until such time as it is rescinded or replaced.

Passed this 2<sup>nd</sup> day of July, 2015

**Signed:**

**Attest:**

 Chairman

 Clerk

 Supervisor

 Supervisor