

Ordinance #2019-01

Town of Greenwood All-Terrain Vehicle/Utility Terrain Vehicle Route Ordinance

State of Wisconsin
Vernon County
Town of Greenwood

SECTION I – TITLE AND PURPOSE

The purpose of this ordinance is to establish All-Terrain Vehicle/Utility Terrain Vehicle (ATV/UTV) routes in the Town of Greenwood and to regulate the operation of ATVs/UTVs in the town.

SECTION II – AUTHORITY

The Town Board of the Town of Greenwood, Vernon County, Wisconsin, has the specific authority to adopt this ATV/UTV Ordinance under s. 23.33 (8) (b) and (11), Wis. Stats.

SECTION III – ADOPTION OF ORDINANCE

This ordinance adopted on proper notice with a quorum and roll call vote by a majority of the Town Board present and voting, provides the authority for the town to designate ATV/UTV routes in the town, and to regulate the use of those routes and ATVs/UTVs in the town, designates ATV/UTV routes in the town and provides for the regulation of the use of these routes and of ATVs/UTVs in the town.

SECTION IV – OPERATION OF ATVs/UTVs

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 ATV/UTV on the roadway portion of any highway in the town except on roads that are designated as ATV/UTV routes by this ordinance. Operation of ATVs/UTVs on a roadway in the town that is an ATV/UTV route is authorized only for the extreme right side 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 ATV/UTV ROUTES

All Greenwood town roads are approved for ATV/UTV use. The Town Chair shall submit a request to the Vernon County Highway Commissioner to establish and approve ATV/UTV use on any County roads that connect with a Town of Greenwood road and a neighboring Town road approved for ATV/UTV use.

SECTION VI – CONDITIONS APPLICABLE TO ATV/UTV ROUTES

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

- A. Routes shall be marked with uniform ATV/UTV 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 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, if the sign or standard 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 the type established by the department for the warning, instruction, or information of the public, unless he or she obtained the uniform ATV/UTV route or trail sign, or standard in a lawful manner. Possession of a uniform ATV/UTV 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 sent by the Town Clerk to the Department of Natural Resources, the Vernon County Sheriff's Department, Vernon County Highway Department, Wisconsin Department of Transportation, and any other law enforcement agency serving the Town of Greenwood's jurisdiction.
 - D. Town of Greenwood requires the following:
 - *All ATV/UTV operators must carry liability insurance.*
 - *All ATV/UTV operators shall not exceed 35 mph on town roads.*
 - *All ATVs/UTVs are required to have low pressure or non-pneumatic tires.*
 - *All ATV/UTV operators shall ride single file on the right side of the roadway.*
 - *Legal hours of operation are one half-hour before sunrise, and one half-hour after sundown.*
 - *If ATV/UTV has no turn signals, hand signals must be used.*
 - *ATV/UTV vehicle must have working brake lights.*
 - *ATV/UTV vehicle must have working taillights or a Slow Moving Vehicle (SMV) sign on back of vehicle.*
 - *Headlights must be on at all times of operation.*
 - *Seatbelts must be worn.*
 - *No liquor or open intoxicants allowed.*
 - *Muffler requires a US Forest Service label.*
 - *All State required safety features must be in place or the vehicle will be considered unregistered and illegal.*

SECTION VII – ENFORCEMENT

This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin (and additionally as stated in the Town's citation authority ordinance adopted per s. 66.0113).

SECTION VIII – PENALTIES

The penalties under s. 23.33 (13) (a), Wis. Stats., are adopted by reference.

SECTION IX – SEVERABILITY

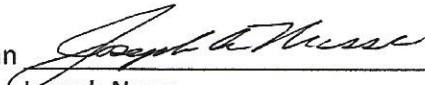
If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of the ordinance are severable.

SECTION X – EFFECTIVE DATE

This ordinance is effective on publication or posting.

The Town Clerk shall properly publish this ordinance as required under s. 60.80. Wis. Stats.

Adopted this 13th day of MARCH, 2019.

Town Chairman 
Joseph Nusse

Town Supervisor 
Al Stanek

Town Supervisor 
Shawn Redington

Attest: Town Clerk 
Lawrence Rott