

TOWN OF SULLIVAN, JEFFERSON COUNTY
ATV/UTV ORDINANCE 7.12 – 2015;
ALLOWING USE BY ALL-TERRAIN-VEHICLES ON DESIGNATED AND PROPERLY
POSTED TOWN ROADS

The Town Board of Sullivan hereby does ordain as follows.

Section 1: Applicability

- (1) Pursuant to the Town's authority under Wis. Stats. Chap. 23.33(11), and in conformance with NR 64.12, this ordinance establishes Town roads located within the ***Town of Sullivan*** for operation of state registered all-terrain-vehicles (ATVs) and utility-terrain-vehicles (UTVs) as defined in s. 23.33(1)(b), (1)(g) and s. 340.01(2g). When said roads are properly signed in conformance with s. 23.33(8)(b), NR64.12, and NR 64.12(7)c. they will be considered open for use of ATVs and UTVs by the public and the Helenville ATV Club (the Club).
- (2) When additional roads or routes are requested for ATV use by the Helenville ATV Club, they shall be submitted to the Town Board for public noticing and consideration by the Town Board.

Section 2: Provisions and Conditions

- (1.) The applicable provisions of Wis. Stats. Chap. 23.33 regulating ATV and UTV operation pursuant to roads and routes are herein adopted by reference, and the Helenville ATV Club agrees to the following conditions:
 - a. Requests must be submitted for approval for any and all future Town road usage.
 - b. The Club will purchase, install, and maintain signing at approved Town roads, according to WiDOT, Wisconsin DNR, and Town regulations, and as amended.
 - c. If in the future, "hours of operation" signing is deemed necessary by the Town Board, signing will be provided and installed by the Club.
 - d. Signing will include "Stay on Pavement" where appropriate.
 - e. The Club will assist the Town by identifying road damage that may inhibit the safe use of the ATV route or roads.
 - f. The Club will provide required forms and documentation to be forwarded to the Jefferson County Sheriff's Department, the State Traffic Patrol, and the Wisconsin DNR.
- (2.) Roads will be considered open for ATV and UTV use only when properly signed.
- (3.) The maximum speed limit on Town roads is set at 35 miles-per-hour.
- (4.) ATVs and UTVs operating on Town roads shall be registered and licensed as required by the Wisconsin DNR.
- (5.) ATVs and UTVs shall operate in accordance with WiDOT, DNR, s. 23.33(4), and Town regulations when traveling Town ATV roads or routes.
- (6.) Age and operator requirements of s. 23.33 must be met to operate an ATV or UTV on a Town road or route. Youths ages 12 through 15 must have passed a state approved ATV or UTV training course and shall be accompanied by a parent or legal guardian who

possesses a valid driver's license while traveling on a Town road or route.. Youths 12 through 17 must wear a helmet.

(7.) Travel by ATVs and UTVs on road shoulders is prohibited except to allow traffic to pass or other special circumstances.

Section 3: Enforcement and Penalties

Authority and jurisdiction to enforce this ordinance under s. 23.33(12) is maintained by any state patrol officer under s.110.07(1), inspector under s.110.07(3), conservation warden appointed by the DNR under s. 23.10, county sheriff, or municipal peace officer. This ordinance will be forwarded to each enforcement agency in accordance with s. 23.33(11)(b). Operators in violation of this ordinance or state regulations will be subject to penalties as found in s. 23.33(13), and as hereby adopted by reference in this ordinance.

Section 4: Severability

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, said decision shall apply only to the section or portion thereof, and shall not affect the validity of any other provisions, sections, or portions of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinance whose terms conflict with this ordinance are hereby repealed as to those terms that conflict.

This ordinance will take effect immediately upon passage, posting, and publication as provided by law.

Adopted this 6th day of October, 20 15 by Town Board of Sullivan, Jefferson County, Wisconsin.

By: Norman Stoner
Chairperson

Attest: Dawn Lynn
Town Clerk

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