

**Town of Wascott
Douglas County, Wisconsin**

**Ordinance 2010-03
All-Terrain Vehicle Route Ordinance**

The Town Board of the Town of Wascott, Douglas County, Wisconsin, do ordain as follows:

PART I. Ordinance 2000-01 and all amendments thereto are hereby repealed.

PART II. Ordinance 2010-03 is hereby created to read as follows:

Section 1. Title and Purpose.

The title of this ordinance is the Town of Wascott All-Terrain Vehicle Route Ordinance. The purpose of this ordinance is to establish all-terrain vehicle routes in the town and to regulate the operation of all-terrain vehicles in the town.

Section 2. Authority.

The Town Board of the Town of Wascott, Douglas County, Wisconsin, has the specific authority to adopt this All-Terrain Vehicle Route Ordinance under § 23.33 (8) (b) and (11), Wis. Stats.

Section 3. Definitions.

In this ordinance the following words and phrases have the designated meanings unless a different meaning is expressly provided or the context clearly indicates a different meaning:

“*All-terrain vehicle*” or “*ATV*” has the meaning specified under § 340.01 (2g), Wis. Stats.

“*All-terrain vehicle route*” means a town road designated by the town board for use by all-terrain vehicle operators.

“*Town road*” or “*road*” means any road or highway under the town’s jurisdiction, exclusive of the gravel shoulders, grassy slope, ditches, or other highway right-of-way outside the area intended for vehicular use.

Section 4. 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 all-terrain vehicle routes in the town and to regulate the use of those routes and all-terrain vehicles in the town.

Section 5. Operation of All-Terrain Vehicles.

A. Operation shall be subject to all provisions of § 23.33, Wis. Stats., which is adopted as a part of this ordinance by reference, pursuant to § 23.33 (11), Wis. Stats.

B. No person may operate an ATV on any town road except on town roads that are designated as all-terrain vehicle routes by this ordinance. No person may operate an ATV on the gravel shoulders, grassy slope, ditches, or other highway right-of-way outside the area intended for vehicular use.

C. Operation of an ATV on a town road that is an ATV route is authorized only for the extreme right side of the road except that left turns may be made from any part of the road that is safe given prevailing conditions.

B. All ATV operators shall ride single file.

- C. Headlights and tail lights of the ATV shall be turned on at all times.
- D. All ATV operators shall observe posted route speed limits.
- E. The speed limit for operation of an ATV on a designated town road shall be 25 miles per hour, except as otherwise provided in this section.
- F. All ATV operators shall slow the vehicle to 10 mph or less when operating within 150 feet of a dwelling.
- G. All ATV operators shall slow the vehicle to a speed not to exceed 10 miles per hour and yield the right-of-way when traveling within 100 feet of a person who is not on an ATV vehicle, a snowmobile or a motorcycle, except as provided under ch. 346, Wis. Stats., where applicable.
- H. Operation of an ATV on a designated ATV route while under the influence of an intoxicant or a restricted controlled substance is prohibited.
- I. Any person under 18 years of age operating an ATV on a designated route shall wear protective headgear with the chin strap properly fastened, except as otherwise exempted by § 23.33 (3g), Wis. Stats.
- J. All persons under 16 years of age are required to have safety certificates.

Section 6. Designation of All-Terrain Vehicle Routes.

The following town roads are designated all-terrain vehicle routes in the town:

| <u>Town Road/Route</u> | <u>Segment</u> |
|-------------------------------|--|
| • Crotte Book Trail | Full length |
| • South Mail Road | From Fire Hill Road to County Forest Trail 41 |
| • Sunset Drive | From CTH T to County Forest Trail 41 |
| • Norris Road | Full length |
| • Lois Lane | Full length |
| • Crystal Lake Road | From CTH T to Cranberry Lake Road |
| • Ball Park Road | Full length |
| • Whatever Road | Full length |
| • Chipmunk Hollow Road | From CTH T to Badger Lane |
| • Kennedy Road | Full length |
| • Boughner Road | Full length |
| • Viewpoint Lodge Road | Full length |
| • Kimball Lake Road | From Little Sand Road to County Forest Trail 3 |
| • Two Mile Road | From Little Sand Road to County Forest Trail 3 |
| • Cranberry Lake Road | From Crystal Lake Road to Bass Lake Road |
| • Bass Lake Road | From Cranberry Lake Road to Cemetery Road |
| • Gram Road | Full length |
| • Lakewood Drive | Full length |
| • Apple Lake Road | From CTH T to Bass Lake Road |
| • Smith Bridge Road | From CTH T to East Flowage Road |
| • East Flowage Road | From Eagle Point Road to Smith Bridge Road |
| • Cemetery Road | From Bass Lake Road to Leader Lake Road |
| • Blue Ribbon Trail | Full Length |
| • Bergen Spring Road | From Blue Ribbon Trail to Cemetery Road |
| • Leader Lake Road | From Cemetery Road to Antler Inn Road |
| • Antler Inn Road | Full length |
| • Mosinee Spur Road | From Wild River Trail to Claire Lawler Road |
| • Claire Lawler Road | From Mosinee Spur Road to CTH G |

| <u>Town Road/Route</u> | <u>Segment</u> |
|--------------------------|--|
| • Red Lake Drive | From State Highway 53 to Blackburn Road |
| • Blackburn Road | From Red Lake Drive to Cheever Road |
| • East Mail Road | From CTH G to Denver Road |
| • Crooked Lake Road | From CTH G to Balcsik Road |
| • Williams Drive | From Lawler Bridge Road to Lidberg Bridge Road |
| • McCumber Road | From CTH Y to East Mail Road |
| • Balcsik Road | Full length |
| • South Copper Mine Road | Full length |
| • Horseshoe Road | Full length |
| • East Copper Mine Road | Full length |
| • Copper Mine Road | Full length |
| • Copper Mine Loop | Full length |
| • Jack Pine Loop | Full length |
| • Cheever Road | From CTH G to South Copper Mine Road |

Section 7. Conditions Applicable to Signage of All-Terrain Vehicle Routes.

A. Routes shall be marked with uniform all-terrain vehicle route signs in accordance with § NR 64.12 (7), Wisconsin Administrative Code.

B. An ATV route sign with directional arrow, where appropriate, shall be placed at the beginning of an ATV route and at such locations and intervals as necessary to enable ATV operators to follow the route and comply with speed limits.

C. No person may intentionally remove, damage, deface, move, or obstruct any uniform all-terrain vehicle route or trail sign or standard or intentionally interfere with the effective operation of any uniform all-terrain vehicle route or trail sign or standards if the sign or standard is legally placed by the state, any municipality, or any authorized individual.

D. No person may possess any uniform all-terrain vehicle 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 all-terrain vehicle route or trail sign or standard in a lawful manner. Possession of a uniform all-terrain vehicle route or trail sign or standard creates a rebuttable presumption of illegal possession.

E. All ATV route signing shall be done by or under the direction of and is the responsibility of the Town Board.

Section 8. Enforcement.

A. This ordinance may be enforced by any law enforcement officer or other officer as specified under § 23.33 (12), Wis. Stats.

B. A copy of this ordinance shall be sent by the town clerk to the Douglas County Sheriff's Department and the Wisconsin Department of Natural Resources.

Section 9. Penalties.

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

Section 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 11. Effective Date.

This ordinance is effective on publication or posting. The town clerk shall properly publish this ordinance as required under § 60.80, Wis. Stats.

Adopted this 1st day of June, 2010.

TOWN BOARD

Janice Newsome, Town Chairperson

Bob Beglinger, Town Supervisor

Doug Bush, Town Supervisor

Douglas Hanson, Town Supervisor

Barbara Johnson, Town Supervisor

Attest: _____
Jeannette Atkinson, Town Clerk