

**Town of Wascott
Douglas County, Wisconsin**

**Res. 2010-07
Policy on Designation of Town Roads as ATV Routes**

WHEREAS, the Town Board may by ordinance designate certain town roads for use as all-terrain vehicle routes, and

WHEREAS, the town board must consider the interests of all persons and provide for public health and safety in making decisions on designation of ATV routes in the town.

NOW, THEREFORE, BE IT RESOLVED the Town Board hereby adopts the following guidelines and administrative procedures related to designation of town roads as ATV routes:

1. Factors to be considered in designation of ATV routes shall include, but are not limited to, the following:

- Connectivity to established ATV trails or routes
- Benefits of ATV routes to town businesses
- Support of adjacent property owners and residents on the proposed ATV route
- Maintenance costs of town roads which are related to ATV use
- Damage to property related to ATV use
- Enforcement costs
- Public safety issues

2. Normally, the town board will consider requests for designation of town roads as ATV routes once each year. A petition to designate a town road as an ATV route, or to remove the designation of a town road as an ATV route, shall be filed with the town clerk by May 31st each year. The required petition form is available from the town clerk or on the town web-site. [form attached to resolution] All residents and owners of property adjacent to the proposed route shall be eligible to sign the petition. Only one signature for each property will be accepted.

3. The clerk shall forward copies of petitions received to the town chairperson and conservation & recreation committee chairperson. The chairpersons shall verify that at least 50% of property owners have signed the petition. A report on petitions received shall be presented to the town board at the June regular town board meeting. If the petition includes at least 50% of adjacent property owners, the petition will advance.

4. The town board or designee shall send notices in June to adjacent property owners whose names do not appear on the petition and notify them of the pending petition. The town board may schedule a public hearing and shall provide a minimum 15 day notice. The town board will normally make a decision on the petition at the July regular town board meeting, with public comments being received prior to a vote.

5. Any property owner who does not sign the petition and does not notify the town board of their objection to the petition, will be deemed to have raised no objection.

6. Approval of the petition shall be subject to advance payment of all costs for signage on the ATV route. The petitioner shall be responsible for collecting contributions and paying for signage costs. Payment shall be made prior to posting of signs and opening of the route. Failure to pay related

costs may, at the discretion of the town board, be considered cause to remove the town road or portion thereof as a designated ATV route.

7. A final decision on a petition to designate a town road as an ATV route is the sole authority of the town board. Although the wishes of property owners will be considered by the town board, public health and safety and other factors may in some cases outweigh the interests of individual persons.

Adopted this 4th day of May, 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