

## **CHAPTER 8.02\_\_ALL-TERRAIN AND UTILITY TERRAIN VEHICLE REGULATIONS**

Sec. 8.02.01	Title and Purpose
Sec. 8.02.02	Authority
Sec. 8.02.03	State ATV/UTV Laws Adopted
Sec. 8.02.04	Designation of All-Terrain Vehicle (ATV) and Utility Terrain Vehicle (UTV) Routes
Sec. 8.02.05	Route Signs
Sec. 8.02.06	Operation of All-Terrain Vehicles and Utility Terrain Vehicles
Sec. 8.02.07	Notifications
Sec. 8.02.08	Enforcement
Sec. 8.02.09	Penalties and Bond Schedule

### **Sec. 8.02.01 Title and Purpose**

Chapter 8.02 of the Code of Ordinances, Town of LaValle, Sauk County, Wisconsin entitled “All-Terrain Vehicle (ATV)/Utility Terrain Vehicle (UTV) Ordinance shall be repealed and recreated to read as provided herein. The purpose of this ordinance is to establish all-terrain vehicle and utility terrain vehicle routes on public roadways in the town and to regulate the operation of such vehicles on such routes in the town to provide safe and healthful conditions for the enjoyment of ATV/UTV recreation consistent with public rights and interest.

### **Sec. 8.02.02 Authority**

The Town Board of the Town of LaValle, Sauk County, Wisconsin, has the specific authority to adopt this Ordinance under s. 23.33(8)(b) and 23.33(11), Wis. stats. Operation of all-terrain vehicles and utility terrain vehicles on a roadway which is an all-terrain vehicle 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 which is safe given prevailing conditions. Wis. stats. s. 23.33 (4) (d) 4., provides that a person may operate an all-terrain vehicle or utility terrain vehicle on the roadway portion of any highway which are designated as all-terrain vehicle routes.

### **Sec. 8.02.03 State ATV/UTV Laws Adopted**

Statutory provisions found in s. 23.33, Wis. Stats., are hereby adopted by reference as a part of this Chapter as if fully set forth herein. Any act required to be performed or prohibited by the provisions of any statute incorporated by reference herein is required or prohibited by this Chapter.

**Sec. 8.02.04 Designation of All-Terrain Vehicle (ATV) and Utility Terrain Vehicle (UTV) Routes**

- A. All town roads in the Town of La Valle are designated All-Terrain Vehicle (ATV)/Utility Terrain Vehicle (UTV) Routes for their entire length.
- B. In addition, STH 58 from Pearson Road to the southerly limits of the Village of La Valle is designated an ATV/UTV Route for the purpose of crossing bridges on STH 58 over the Little Baraboo River.

**Sec. 8.02.05 Route Signs**

Under the direction of the Town, route signs shall be provided by and shall be marked by the Sauk Ridge Runners ATV Club or their successor with uniform all-terrain vehicle route signs in accordance with s. NR 64.12 (7), Wisconsin Administrative Code. Signs to be inspected annually and maintained by the Sauk Ridge ATV Club or their successor. The Town shall be notified immediately in any change in responsibility for maintenance of ATV/UTV Route signs.

**Sec. 8.02.06 Operation of All-Terrain Vehicles and Utility Terrain Vehicles**

The following restrictions apply to operation of ATVs and UTVs on all roads and highways designated as ATV/UTV routes:

- A. Operators shall abide by all traffic laws, including the rules of operation and equipment requirements contained in Wis. Stat. § 23.33 and Wis. Adm. Code. ch. NR 64, unless further restricted by this chapter.
- B. ATVs and UTVs may only be operated on designated ATV/UTV route between 7:00 AM and 9:00 PM.
- C. ATVs and UTVs shall be operated on a route at a safe speed not to exceed 35 miles per hour unless a reduced speed is otherwise required by law or roadway conditions.
- D. All ATV and UTV operators shall slow to a safe and prudent speed when there are animals on or near the roadway. Reference Wis. State Stats 23.33(3)(f)
- E. ATVs and UTVs must operate with fully functional headlights, taillights, and brake lights. . Reference Wis. State Stats 23.33(6)(a)-(h)..
- F. All ATV or UTV operators shall ride in single file on the extreme right-hand side of the paved portion of the road or highway. Operation on the gravel shoulders, grassy in-slope, ditches, or other road or highway right-of-way is prohibited. Left turns may be made from any part of the highway when it is safe given prevailing conditions.
- G. Crossing should be made only at a place where no obstruction prevents a quick and safe crossing. "Obstruction" includes, but is not limited to, impairment of view and potentially hazardous roadway conditions.
- H. No person under the age of 16 may operate an ATV or UTV on any segment of a road or highway that is a designated ATV/UTV route. Reference Wis. State Stats 23.33(5)(a)1-6 ATV and 23.33(5)(am)1 UTV.

- I. Every person who operates an ATV or UTV on any segment of a road or highway which is designated as an ATV/UTV route shall have in his or her immediate possession a valid motor vehicle operator's license and if born after January 1, 1988, possess a valid ATV safety certificate issued by Wisconsin or any other state or province. The ATV/UTV operator shall display the operator's license and safety certificate documents upon demand from any law enforcement officer, state patrol officer, inspector under Wis. Stat. § 110.07(1), conservation warden, or municipal peace officer. Reference Wis. State Stats 23.33(5)(b)1-ATV, 23.33(5)(b)1m-UTV or 23.33(5)(b)2 – Upon Request.
- J. No person may ride in or on any part of an ATV or UTV that is not designated or intended to be used by passengers. Reference Wis. State Stats 23.33(6r)
- K. No operator or passenger of an ATV or UTV may possess, in or on an ATV or UTV on any road or highway designated as an ATV/UTV Route, any bottle or receptacle containing alcohol beverages if the bottle or receptacle has been opened, the seal has been broken or the contents of the bottle or receptacle have been partially removed or released.
- L. All ATV and UTV equipment are required to have applicable liability insurance and have proof of insurance.
- M. All persons under the age of 18 operating and/or riding on an ATV/UTV must wear protective headgear as the type required under Wis. Stats. s. 347.485(1). Reference Wis. State Stats 23.33(3g).

**Sec. 8.02.07 Notifications**

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

**Sec. 8.02.08 Enforcement**

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

**Sec. 8.02.09 Penalties and Bond Schedule**

Any violations in any section of Chapter 8.02, or additional sections adopted herein, each shall pay a forfeiture for each offense as set forth in the following Town of LaValle Police Department Municipal Bond Schedule for ATV's and UTV's:

<b>DESCRIPTION</b>	<b>AMOUNT</b>
FINE:	\$ 50.00
PENALTY ASSESSMENT	\$ 13.00
COURT COST MUNICIPAL	\$ 33.00
COURT COST STATE	\$ 5.00
CRIME LAB	\$ 13.00
JAIL	\$ 10.00
LA VALLE MUNICIPAL	\$ 5.00
<b>TOTAL</b>	<b>\$129.00</b>

In addition to any forfeiture, a court may order restitution to repair any damage caused by violation of this Ordinance.