

Ordinance No. 2019-01
Town of Forest, Richland County, WI

ORDINANCE FOR ESTABLISHING ALL-TERRAIN VEHICLE (ATV) AND UTILITY TERRAIN VEHICLE (UTV) OPERATION ROUTES, TO PROVIDE SAFE AND ENJOYABLE ATV/UTV RECREATION, ALONG WITH PENALTIES FOR VIOLATION THEREOF, IN THE TOWN OF FOREST, RICHLAND COUNTY, WISCONSIN.

SECTION 1: ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES AND ROUTES.

- (A) Purpose.** The purpose of this ordinance is to establish all-terrain vehicle ("ATV") and utility terrain vehicle ("UTV") routes in the Town of Forest and regulate the operation of all-terrain and utility vehicles in the Town of Forest.
- (B) Operation of All-Terrain and Utility Terrain Vehicles.** Operation of ATVs and UTVs shall be subject to all provisions of Wis. Statutes in effect at the time of enactment, and as may be amended from time to time.
- (C) Designation of All-Terrain and Utility Terrain Routes.** The designated ATV/UTV routes in the Town of Forest shall be all town roads, drives, lanes, as well as all county and state trunk highways as may be allowed by Wis. Statute.
- (D) Conditions Applicable to All-Terrain Vehicles and Utility Terrain Routes.**
- (1)** Pursuant to all provisions of Wis. Statutes in effect at the time of enactment, and as may be amended from time to time, the following restrictions are placed on the use of the Town of Forest ATV/UTV routes designated by this ordinance.
 - (2)** Route signage with the supervision of the town shall be marked and paid for by the ATV club with uniform all-terrain vehicle route signs in accordance with s. NR64.12(7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking Town of Forest ATV/UTV routes:
 - a.** 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 standard if the sign or standard is legally placed by the state, any municipality, or any authorized individual.
 - b.** Possess any uniform ATV/UTV route or trail sign or standard 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 the lawful manner. Possession of an ATV/UTV route or trail sign or standard creates a rebuttable presumption of illegal possession.
 - (3)** A copy of this ordinance shall be sent by the Town of Forest Clerk to the Richland County Sheriff's Department and the Department of Natural Resources, P O Box 7921 Madison, WI 53707.
 - (4)** In addition to the provisions of S. 23.33, Wis. Stats., the following restrictions are placed on the use of the Town of Forest ATV/UTV routes designated by this ordinance:
 - a.** All ATV/UTV operators shall observe posted roadway speed limits or a speed limit of 35 mph, whichever is lower.
 - b.** All ATV/UTV operation shall be confined to the far right side of the paved/improved surfaces of the right-of-way of the designated routes.
 - c.** The Town of Forest may close ATV/UTV routes at any time through placing of route signage and providing notice to the public.
 - d.** The Town of Forest may close ATV/UTV routes due to road emergencies, including but not limited to blizzards or flooding or other safety hazards.
 - e.** ATV/UTV routes shall be closed from 8:00 pm to 5:30 am or during hours of darkness as determined by State Statute, whichever hours give the greatest number of hours of route use.

f. Any ATV/UTV operating during the hours of darkness shall have operating headlight(s), taillights(s), brake light(s), and turn signals.

(E) Enforcement. The penalties under Wis. Stat. sec. 23.33(13) (a), as the same as may be amended from time to time, are adopted by reference. This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.

(F) 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 II: EFFECTIVE DATE.

This ordinance shall become effective upon its passage and publication.

Adopted and passed this 14th day of May, 2019.

Town of Forest Town Board:

____/s/_____ John Matthes, Chairman

____/s/_____ Jim Carley, Supervisor

____/s/_____ Dan White, Supervisor

Attest: ____/s/_____ Lynette Owens. Town Clerk