

ORDINANCE NO. 2015-09-14-1

AN ORDINANCE TO AMEND ALL TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE ROUTE  
ORDINANCE

The Town Board of the Town of Elba, Dodge County, Wisconsin, DO ORDAIN that Ordinance Number 2015-09-14-1 of the Town of Elba is hereby amended to read as follows:

Section V – Designation of All-Terrain Vehicle and Utility Terrain Vehicle Routes

The following Elba Town roads are designated all terrain vehicle and utility terrain vehicle routes in the town: *(Map attached to original Ordinance and may be view on Town website and/or the Clerk's office)*

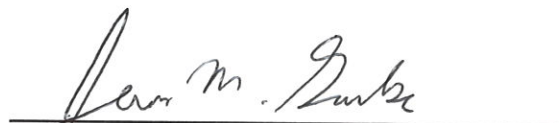
Portion of Tamarack Road, portion of Breyer Road, portion of Hughes Road, portion of Burr Oak Road, Pergande Road, and Setz Road

The Town Board DO FURTHER ORDAIN that this Ordinance shall be effective March 3, 2020 upon adoption.

Dated this 3<sup>rd</sup> day of March 2020.

Attest:

  
Town Clerk

  
Chairman

  
Supervisor

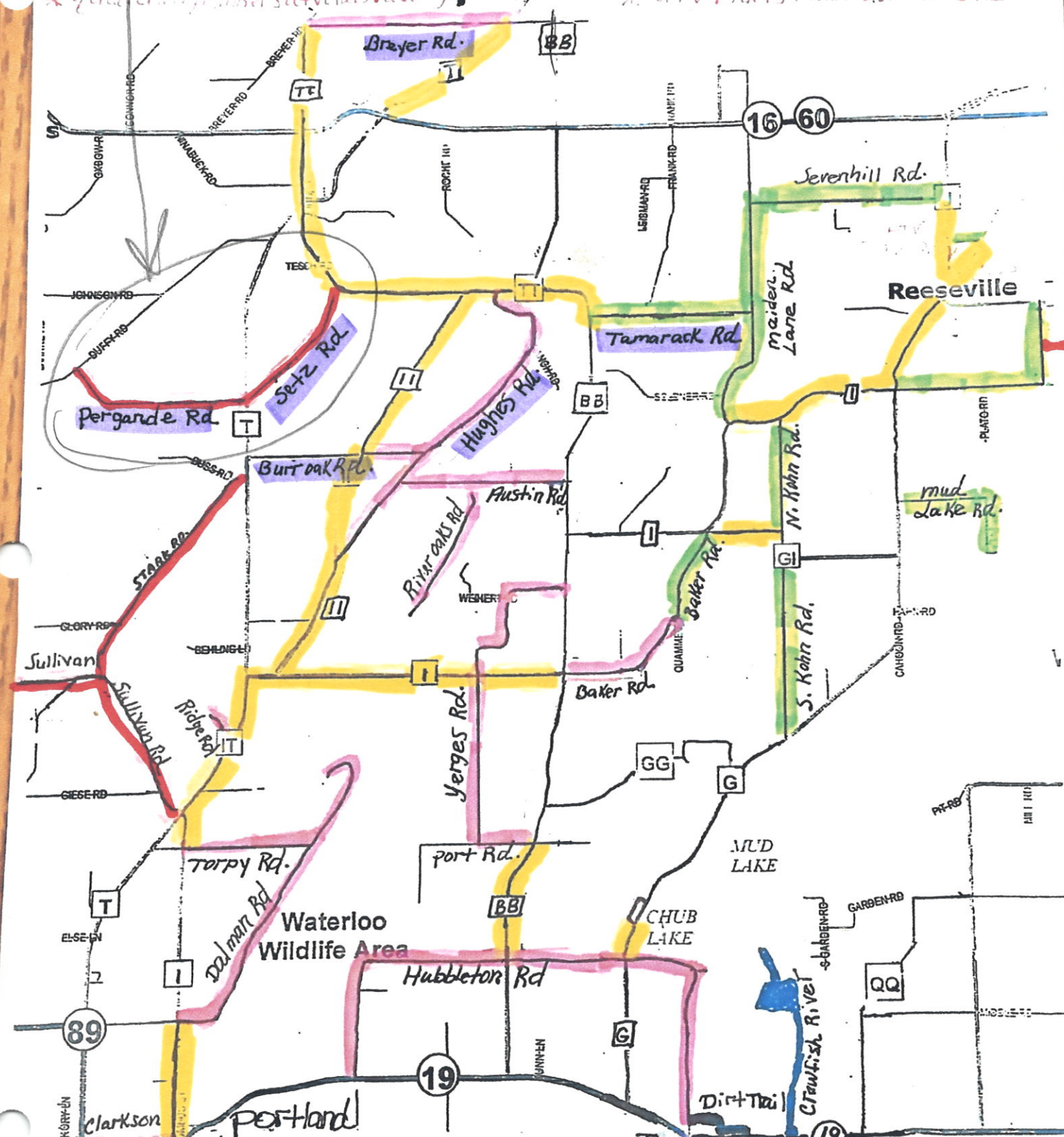
  
Supervisor

# Woodford Trust Two Roads

NORTH

- \* Quad County Runners ATV clubs
- \* Quad County runners at velos.walby.com

- \* must have headlights on at all times
- \* ATV Riders must use seat belts



Curfew 12 Am-5 Am  
County Rnds - max speed 35

Town of Portland & Elm

Trail Parking \* Buckeez @ Hubbleton  
Curfew 12 Am-6 Am  
Town of Lowell - max speed 40

ALL TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE ROUTE ORDINANCE

STATE OF WISCONSIN

TOWN OF ELBA

DODGE COUNTY

SECTION I- TITLE AND PURPOSE

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

SECTION II - AUTHORITY

The Town Board of the Town of Elba, Dodge County, Wisconsin, has the specific authority to adopt this All-Terrain Vehicle and Utility Terrain Vehicle Ordinance under s. 23.33 (8) (b) and (11), Wis. stats.

SECTION III - 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 and utility terrain vehicle routes in the town and to regulate the use of those routes and all-terrain vehicles and utility terrain vehicles in the town.

SECTION IV - OPERATION OF ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES

Pursuant to s. 23.33 (4) (d) 4, Wis. stats., except as otherwise provided in s. 23.33 (4), Wis. stats., no person may operate an all-terrain vehicle or utility terrain vehicle on the roadway portion of any highway in the town except on roadways that are designated as all-terrain vehicle and utility terrain vehicle routes by this ordinance. Operation of all-terrain vehicles and utility terrain vehicles on a



roadway in the town that is an all-terrain vehicle and utility 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 that is safe given prevailing conditions.

#### SECTION V - DESIGNATION OF ALL-TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE ROUTES

All Elba Town roads are designated all-terrain vehicle and utility terrain vehicle routes in the town.

#### SECTION VI - CONDITIONS APPLICABLE TO ALL-TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE ROUTES

Pursuant to s. 23.33 (8) (d), Wis. stats., the following restrictions are placed on the use of the town all-terrain vehicle and utility terrain vehicle routes designated by this resolution:

- A. Routes shall be marked with uniform all-terrain vehicle and utility terrain vehicle route signs in accordance with s. NR 64.12 (7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking town all-terrain vehicle and utility terrain vehicle routes:
1. Intentionally remove, damage, deface, move, or obstruct any uniform all-terrain vehicle and utility terrain vehicle route or trail sign or standard or intentionally interfere with the effective operation of any uniform all-terrain vehicle and utility 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.
  2. Possess any uniform all-terrain vehicle and utility 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 and

utility terrain vehicle route or trail sign or standard in a lawful manner. Possession of a uniform all-terrain vehicle and utility terrain vehicle route or trail sign or standard creates a rebuttable presumption of illegal possession.

- B. Operation shall be subject to all provisions of s. 23.33, Wis. stats., which is adopted as a part of this ordinance by reference, pursuant to s. 23.33 (11), Wis. stats.
- C. A copy of this ordinance shall be sent by the town clerk to the Department of Natural Resources, the Dodge County Sheriff's Department and any other law enforcement agency serving the Town of Elba's jurisdiction.
- D. Quad County Runners will be responsible for all costs of all ATV/UTV and speed limit signs on all town roads and for all costs of their proper installation and future maintenance.

#### SECTION VII - ENFORCEMENT

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

#### SECTION VIII - PENALTIES

The penalties under s. 23.33 (13) (a) Wis. Stats. are adopted by reference.

#### SECTION IX - 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 X - POSSIBLE AMENDMENT TO/CANCELLATION OF THE ORDINANCE

Should any issues arise in the future which might require Town Board action, the Town Board reserves the right to either amend or cancel this ordinance at a duly-noticed meeting at which notice of such amendment or cancellation has been included in the meeting's agenda.


SECTION XI - EFFECTIVE DATE

This ordinance is effective on publication or posting.

The town clerk shall properly publish this ordinance as required under s. 60.80 Wis. stats.

Adopted this 14 day of August 2015.

  
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Town Chairman, Joe Roche

  
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Supervisor I, Paul Walz

  
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Supervisor II, Roger Parpart