

Town of Sharon
Walworth County, Wisconsin
Ordinance #01-05-2015
All-Terrain Vehicle & Utility Vehicle Routes

The purpose of this ordinance is to establish all-terrain & utility vehicle routes in the town and to regulate the operation of all-terrain & utility vehicles in the town.

Section I—Authority

The Town Board of the Town of Sharon, Walworth County, Wisconsin, has the specific authority to adopt this All-Terrain Vehicle & Utility Vehicle Route Ordinance under s. 23.33 (8) (b) and (11), Wis. Stats.

Section II—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 & utility vehicle routes in the town and to regulate the use of those routes and all-terrain vehicles & utility vehicles in the town, designates all-terrain vehicle & utility vehicle routes in the town and provides for the regulation of the use of those routes and of all-terrain & utility vehicles in the town.

Section III—Operation of all-Terrain & Utility 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 or utility vehicle on the roadway portion of any highway in the town except on roadways that are designated as all-terrain & utility vehicle routes by this ordinance. Operation of all-terrain & utility vehicles on a roadway in the town that is an all-terrain & utility 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 IV—Designation of all-Terrain Vehicle Routes & Utility Vehicle Routes

The following routes are designated all-terrain & utility vehicle routes in the town: Roads that have been properly posted within the town which are property of the town and maintained by town personnel.

Section V—Conditions applicable to All-terrain & Utility Vehicle Routes

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

- A. Routes shall be marked with uniform all-terrain & utility 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 & utility vehicle routes:
1. Intentionally remove, damage, deface, move, or obstruct any uniform all-terrain & utility vehicle route or trail sign of standard or intentionally interfere with the effective operation of any uniform all-terrain & utility 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 & utility 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 & utility vehicle route or trail sign or standard in a lawful manner. Possession of

a uniform all-terrain & utility 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 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 Walworth County Sheriff's Department.
- D. All ATV & UTV operators shall observe posted roadway speed limits. All ATV & UTV operators shall ride single file.

Section VI—Enforcement

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

Section VII—Penalties

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

Section VIII—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 applications, and to this end the provisions of this ordinance are severable.

Section IX—Effective Date

This ordinance will be effective on May 1, 2015. It will be posted 30 days prior to effective date. The Town Clerk shall properly post this ordinance as required under s. 60.80, Wis. Stats.

Adopted this 9th day of March, 2015

Richard Brandl, Chairman

Matt Shinkus, Supervisor I

Mary DeYoung, Supervisor II

Attest: _____
Karen Teliszczak, Town Clerk/Treasurer