**ATV Ordinance**

Posted on

Ordinance # Appendix D

All-Terrain/Utility Terrain Vehicles and Routes

Town of Kaukauna, Outagamie County, Wisconsin

Section I - Intent

The Town of Kaukauna, Outagamie County adopts the following all-terrain vehicle (ATV) and Utility Terrain Vehicle (UTV) Route Ordinance upon the roadways listed herein.

Following due consideration of the recreational value to connect trail opportunities and weighed against possible dangers, public health, liability aspects, terrain involved, traffic density and automobile traffic volume, this route has been created.

Section II - Statutory Authority

This route is created pursuant to Township authority as authorized by 23.33 (8) (b), Wis. Stats.

The applicable provisions of 23.33 regulating ATV/UTV operations pursuant to routes are adopted.

Section Ill - Routes

1. The Town of Kaukauna reserves the right to close or modify routes at any time.
2. The Town of Kaukauna, or its designee, shall maintain all route signs within the township.
3. All ATV/UTV routes shall be signed in accordance with NR 64.12, and NR 64.12(7). If a route is not signed it is not open for use.
4. ROUTES DESIGNATED. The following roads are designated ATV/UTV Routes in the Town of Kaukauna:
   * + - Golden Glow from County Rd J to County Rd U
       - Van Asten from County Rd J to Section Line Rd
       - Greiner Rd from County Rd J to McCabe Rd
       - Garrity Rd from McCabe Rd to West Frontage Rd
       - Wrightstown Rd from Bodde Rd to East Frontage Rd
       - Hasselt Rd from Farrell Rd to Bodde Rd
       - River Bend and Shawn Ct from State Hwy 96 to State Hwy 96
       - River Forest Dr from State Hwy 96 to Fox Meadows
       - Fox Meadows from SH 96 to River Forest Dr
       - Town Club Rd from East Frontage to East Frontage
       - Lock Rd to State Hwy 96
       - Cindy Ann Ln to McCabe Rd
       - Sleepy Creek and Keith Michael from McCabe to McCabe
       - Della Marcus from Wrightstown Rd to Wrightstown Rd
       - Farrell Rd from Golden Glow to West Frontage Rd (cross UU and JJ)
       - Section Line Rd from Greiner Rd to Van Asten Rd (County UU and S)
       - Bodde Rd from West Frontage Rd to Greiner Rd
       - McCabe Rd from West Frontage to County S (cross UU)
       - West Frontage Rd from County U to Farrell Rd
       - East Frontage Rd from County U to County JJ

5. The Town Clerk shall maintain a Route map and accessible on the website.

Section IV - Conditions

1. All ATV/UTV operators shall wear eye protection.
2. All UTV operators and passengers shall wear a seat belt.
3. All ATV/UTV operators on routes shall observe posted roadway speed limits but shall not exceed 35 mph regardless whether a higher speed limit is posted.
4. All ATV/UTV operators shall ride single file.
5. No ATV/UTV may be operated on any designated route between the hours of 11:00 P.M. to

5:00 A.M. daily, unless they are engaged in snow plowing. The ATV/UTV operating under animal husbandry rules may be extended.

1. No person may operate an ATV on any designated route, without a valid driver's license.
2. No person under the age of eighteen (18) may operate an ATV on any designated route

unless they are wearing approved protective head gear.

1. No ATV may be operated on any designated route which ATV does not meet all applicable Federal noise and air pollution standards.
2. Operators of ATV/UTV shall observe all laws of this state pertaining to the use of an ATV/UTV.
3. All ATV/UTV shall require WI DNR Registration and License plate displayed.
4. All ATV/UTV operators shall ride on the extreme right side of the pavement except that left turns may be made from any part of the roadway which is safe and given prevailing condition, but shall not operate on the shoulders or in the ditch.
5. All ATV/UTV’s operating on any portion of an established designed ATV/UTV route shall display lighted headlights and taillights, conforming to WI SS 23.33 equipment requirements,

at all times.

Section V - Enforcement

This ordinance shall be enforced by any law enforcement officer authorized to enforce the law of the State of Wisconsin. This ordinance may be enforced by any town board member or a designee of the town.

Section VI - Penalties

Wisconsin state All-Terrain Vehicle penalties as found ins. 23.33 (13) (a) Wis. Stats., are

adopted by reference. Except for S. 23.33(am) to (e) a person who violates this ordinance shall

forfeit not more than $250.00 and not less than $50.00 per occurrence.

Section VII - Severability

The provision of this ordinance shall be deemed severable and it is expressly declared that the Town of Kaukauna would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be deemed affected.

Section VIII - Effective Date

This ordinance becomes effective upon passage and publication.

Jackie Calaway, Secretary, Planning Commission

TOWN OF KAUKAUNA

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mike Van Asten, Chairman

Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Debbie Vander Heiden, Clerk/Treasurer

Adopted: This \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019

Published: This \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019

Effective: PENDING- placement of signage