

VILLAGE OF BLOOMINGTON

4.15 ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES ROUTES AND REGULATIONS

- A. **Purpose.** The purpose of this ordinance is to establish all-terrain vehicle (“ATV”) and utility terrain vehicle (“UTV”) routes in the Village of Bloomington and regulate the operation of all-terrain and utility terrain vehicles in the Village.
- B. **Statutory Authority.** This route is created as authorized and the operation of ATVs and UTVs shall be subject to all provisions of sec. 23.33 Wis. Stats., as the same may be amended from time to time.
- C. **Routes.**
1. All state highways, county roads and village streets within the Village of Bloomington.
 - (a) The Bloomington Village Council shall have the authority to suspend operation in any of the above areas for up to ninety (90) days due to hazard, construction, or emergency conditions in any designated area or route segment listed above.
 2. Routes shall be marked with uniform ATV/UTV route signs in accordance with Chap. NR 64.12(7), Wisconsin Administrative Code. Signs will be supplied and installed by ATV/UTV club under the direction of public works director.
 3. No person may do any of the following in regard to signs marking Village ATV/UTV routes:
 - (a) Intentionally remove, damage, deface, move or obstruct any uniform ATV/UTV or trail sign or standard or intentionally interfere with the effective operation of any uniform ATV/UTV route or trail sign or standards 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 of 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 a uniform ATV/UTV route or trail sign or standard creates a rebuttal presumption of illegal possession.
- D. **Operating Requirements and Restrictions.** In addition to the provisions of sec. 23.33, Wis. Stats., the following restrictions are placed on the use of the Village ATV/UTV routes designated by this ordinance:
1. Routes shall be closed from 1:00 a.m. to 5:00 a.m. daily.

2. All persons who operate an ATV or UTV on any route must be at least 16 years of age and must possess a valid driver's license.
3. All operators and passengers of any ATV or UTV under the age of 18 must wear protective head gear as defined in Wisconsin State Statute 23.33(3g).
4. All operators and passengers of any UTV shall be required to wear a seatbelt when traveling on any route, street or alley within the Village.
5. No person may operate an ATV or UTV within the Village unless the owner or operator of the vehicle has in effect a liability insurance policy covering the vehicle being operated and such operator has in his or her immediate possession a certificate or proof of insurance covering such vehicle which shall be displayed upon demand from any traffic or law enforcement officer.
6. No person shall operate an ATV or UTV within the Village unless the vehicle conforms to all noise, registration, and other equipment requirements as stated in the Wisconsin Statutes, Wisconsin Administrative Code, or the Municipal Code of the Village of Bloomington.
7. All ATV/UTV operators shall ride single file in the driving lane with the flow of traffic.
8. Every ATV or UTV operating within the Village must always display a lighted headlight and taillight. Brake lights on all vehicles must be operational.
9. It shall be unlawful for any person to possess an open intoxicant container while operating, or as a passenger, on an ATV or UTV on any route, street or alley within the Village.
10. All ATV/UTV operators shall observe the roadway speed limits as posted.
11. It shall be unlawful for any person to operate any ATV or UTV in such a manner as to cause, by excessive and unnecessary acceleration, the tires of such vehicle to spin or emit loud noises, to unnecessarily throw stones or gravel, or cause the front wheels of the vehicle to leave the ground; nor shall such driver cause to be made by excessive and unnecessary acceleration any loud noise as would disturb the peace.
12. The Village of Bloomington may close routes at any time for construction, maintenance, or other reason.
13. The Village Council of the Village of Bloomington may approve the addition of new routes and may change or close any existing routes as needed through removal of all route signage and providing notice to the public.

14. All ATV/UTV operators shall be in compliance with all of the provisions of statutes, rules, regulations, and ordinances applicable to such ATV or UTV operation.
15. No person shall operate any ATV or UTV within any Village park or public area not designated as a roadway.
16. No person shall operate any ATV or UTV on any private property without permission of the property owner.
17. No person shall operate an ATV or UTV upon any sidewalk or pedestrian way within the Village unless it is being used for snow removal.

- E. **Enforcement.** This ordinance shall be enforced by any law enforcement officer of the Grant County Sheriff's Department, Wisconsin State Patrol, Department of Transportation or the Department of Natural Resources. The enforcement provisions under sec. 23.33(12), Wis. Stats., as the same may be amended from time to time, are adopted by reference as if fully set forth herein.
- F. **Penalties.** Penalties as found in sec. 23.33(13), Wis. Stats., as the same may be amended from time to time, are adopted by reference as if fully set forth herein.
- G. **Severability.** The provision of this ordinance shall be deemed severable and it is expressly declared that the Village Council 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 person circumstances shall not be deemed affected.