

## Ordinance # 2021-05-17

### All-Terrain/Utility Terrain Vehicles Trails and Routes Town of Saxeville, Waushara County, Wisconsin

#### Section 1-Intent

The **Town of Saxeville**, Waushara County, Wisconsin hereby adopts the following all terrain vehicle (ATV) and utility terrain vehicle (UTV) upon roadways listed in Section 3.

#### Section 2-Statutory Authority

This route is created to 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 and trails are adopted.

#### Section 3-Routes and Trails

1. The **Town of Saxeville** reserves the right to close or modify routes and trails at anytime. Any restrictions of trails and routes shall be designated by a motion and by majority of the **Town of Saxeville** board and shall be marked accordingly.
2. The **Town of Saxeville** or its designee shall maintain all routes and trail signs within the township.
3. All ATV/UTV routes and trails should be signed in accordance with NR 64.12, and NR 64.12 (7) (c). The primary use of the all-terrain vehicle routes sign and arrow is to alert the trail user that it is permissible to use the traveled portion of the road or highway for travel. The signs also alert others that the road or highway is a route. The routes may be signed in accordance to WI SS 23.33 (8) (e) or a combination thereof. The **Town of Saxeville** may designate a preferred route to connect with other routes that connect to other municipalities.
4. All township roads, sidewalks, alleyways and transportation marked corridors within the **Town of Saxeville** are hereby designated as ATV/UTV routes. Authorized private lands subject to public easement or leases are designated trails. All county roadways located in the **Township of Saxeville** are hereby declared as ATV/UTV routes if authorized by the County of Waushara. Bridges 1,000 feet or less on state and county highways located in the territorial boundaries in the **Town of Saxeville** hereby routes. Operators will cross the bridge in the most direct and practicable manner and exit to the next connecting town or county road completing the route or trail. All roadways on state or county roads of 35 MPH or less are hereby declared as routes.
5. Pursuant to **WI SS 23.33 11 (am) 2**. A person may operate an all-terrain vehicle or utility terrain vehicle with a snow removal device attached on a roadway or adjacent to a roadway or on a public sidewalk during the period beginning on October 1 and ending on April 30 of each year for the purpose of removing snow if such operation is necessary to travel to or from a site where the snow removal device will be used. The travel necessary to or from the site may not exceed 2 miles. All roadways located within the territorial boundaries in the **Town of Saxeville** are hereby authorize for the operation of all-terrain vehicles and utility terrain vehicles with snow removal devices attached on any roadway, or adjacent to the roadway, if the applicable roadway speed limit is greater than 45 miles per hour, or less than 45 mile per hour regardless of whether the town has jurisdiction over the roadway.
6. The **Town of Saxeville** will maintain a route and trail map.

#### Section 4-Conditions

1. Operators of ATV/UTV shall observe all laws of this state pertaining to the use of an ATV/UTV.

#### Section 5-Enforcement

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

#### Section 6-Penalties

Wisconsin state ATV/UTV penalties as found in s.23.33 (13) (a) Wis. Stats. ,are adopted by reference.

**Section 7-Severability**

The provision of this ordinance shall be deemed severable and it is expressly declared that the **Town of Saxeville** would have passed the other provisions of this ordinance irrespective of whether or not one or more provision 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 the other persons circumstances shall not be deemed affected.

**Section-8 Effective Date**

**This ordinance becomes effective upon passage and posting.**

Passed this 17 Day of May, 2021.

**TOWN BOARD OF THE TOWN OF SAXEVILLE**

BY: \_\_\_\_\_

John vanAmerongen, Chairman

BY: \_\_\_\_\_

Ken Hansen, Supervisor 1

BY: \_\_\_\_\_

Bart Peterson, Supervisor 2

ATTEST: \_\_\_\_\_

Theresa Szczublewski, Clerk/Treasurer

Posted: 05-25-2021