

TOWN OF HERMAN

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Town of Herman ATV Ordinance

- (7) TRANSFER OF PRIVATE DRIVES OR PRIVATE ROADS TO THE TOWN OF HERMAN: Prior to the transfer of a Private Drive or Private Road to the Town of Herman the roadway must meet all the requirements of a Town Road as described in Section 3.01 of the Town of Herman Code of Ordinances.
- (8) PENALTIES/FORFEITURES: If a driveway, private drive, or private road is constructed or modified in violation of the provisions of the Ordinance or creates a hazard that is not corrected within 30 days of notification, the owner(s) of the land through which the driveway, private drive, or private road passes shall pay a forfeiture as specified in Section 9.04(2) of the Code of Ordinances. Each day the violation continues to exist shall constitute a separate offense. A driveway, private drive, or private road that is constructed in violation of this Ordinance constitutes a public nuisance and may be enjoined.

3.04 Operation of All-Terrain Vehicles on Town Roads

(1) Authority

Usage of town roads is pursuant to Wis. Stats. 23.33(8)(b), adopted by reference, as modified by this Code of Ordinances.

(2) Conditions of Use

- (a) All town roads shall be open to use by ATV and UTV vehicles unless otherwise posted.
- (b) All county and state roadways with a posted vehicular speed of 35 mph or less will be open to ATV/UTV usage unless otherwise posted, as authorized by Wis. Stats. 23.33(11)(am)4.
- (c) All ATV/UTV operators shall observe posted speed limits but shall not exceed 45 mph on any town road.
- (d) No person under 18 years of age may operate or be a passenger on an ATV/UTV without wearing protective headgear of the type required under Wis. Stats. 347.485(1)(a), except as specifically exempted under Wis. Stats. 23.33(3g)(b,c and d).
- (e) All ATV/UTV operators under the age of 16 years old must be in direct verbal supervision of a parent or legal guardian when operating on a designated all-terrain vehicle route.
- (f) Operation of ATVs and UTVs on roadways designated as ATV/UTV routes are authorized only for the extreme right side of the roadway, on the paved surface (if the roadway is paved), except those left turns may be made from any part of the roadway that is safe given prevailing conditions.
- (g) Approved hand signals are required whenever the operator intends to change direction if the vehicle is not equipped with turn signals.
- (h) All ATV/UTV operators shall ride single file.
- (i) The operator of an ATV/UTV shall obey all traffic laws, local ordinances and DNR regulations.
- (j) The operator of an ATV/UTV shall display a lighted headlamp, tail lamp and working brake light on the vehicle while operating on municipal roads.
- (k) All ATVs and UTVs shall display a current government issued registration.
- (l) All roads must be signed in accordance with NR 64.12 and NR 64.12(7).
- (m) The Town of Herman shall not be liable for the operation of ATVs and UTVs on designated routes, pursuant to Wis. Stats. 895.52(1)(g).
- (n) On roads shared with another jurisdiction the most restrictive ordinance shall apply.

(3) Enforcement

- (a) This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin, Sheboygan County, and the Town of Herman
- (b) Penalties for violations of this ordinance shall be in accordance with ss. 23.33(13)(a), and the Town of Herman Code of Ordinances, 9.04(1).