

Town of Fredonia, Ozaukee County
Amendment of Chapter 7 Traffic Code to create an All-Terrain/Utility Terrain Vehicle Route Ordinance

The Board of Supervisors of the Town of Fredonia, Ozaukee County, Wisconsin do ordain as follows;

Section 7.11 of the Traffic Code shall be repealed in its entirety and replaced with the following;

(1) - Intent

The Town of Fredonia, Ozaukee County, adopts the following all-terrain vehicle route for the operation of all-terrain vehicles upon all township roads. Following due consideration of the recreational value to connect route and trail opportunities, and weighed against possible dangers, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, this ordinance has been created.

(2) - Statutory Authority

Open usage of township roads is done pursuant to township authority as authorized by Wis. Stats. 23.33(8)(b). The applicable provisions of Wis. Stats. 23.33 regulating ATV/UTV operation pursuant to routes are adopted.

(3) - Routes

All township roads will be open to ATV/UTV usage unless otherwise posted. All county and state roadways posted 35mph or less will be open to ATV/UTV usage as authorized under Wis. Stats. 23.33(11) (am) 4 unless otherwise posted. Portions of county roads posted higher than 35mph may be designated and posted open to ATV/UTV upon authorization from the County Highway Commissioner. All posted ATV/UTV routes shall be posted closed from 11pm to 5am.

(4) - Conditions

As condition for use of township roads, the following conditions shall apply to all operators (and passengers);

- (a) All ATV/UTV operators shall observe posted speed limits.
- (b) 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) and with the chin strap properly fastened, except as specifically exempted under Wis. Stats 23.33(3g)(b, c and d).
- (c) All ATV/UTV operators under 16 years of age must be in direct verbal supervision of a parent or legal guardian when operating on a designated all-terrain vehicle route.
- (d) 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 that left turns may be made from any part of the roadway that is safe given prevailing conditions.
- (e) Approved hand signals are required whenever the operator intends to change direction if the vehicle is not equipped with turn signals.
- (f) All ATV/UTV operators shall ride single file.
- (g) The operator of an ATV/UTV shall obey all traffic laws, local ordinances and DNR Regulations
- (h) The operator of an ATV/UTV shall display a lighted headlamp, tail lamp and working brake light on the ATV/UTV and display the registration license plate at all times.
- (i) All roads must be signed in accordance with NR 64.12 and NR 64.12(7).

- (j) ATV/UTV operation is at the risk of the operator. The Town of Fredonia has no liability for any damage or injury to persons, real property or personal property, arising out of the operation of ATVs and UTVs on designated ATV/UTV Routes under Wis. Stats. 895.52(1) (d) (g).
- (k) Routes are open year round.
- (l) On all roads shared with another jurisdiction, the most restrictive Ordinance shall apply.
- (m) The Town reserves the right to open or close routes by a simple Board motion.

(5) - Enforcement

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

(6) - Penalties

Wisconsin State All-Terrain Vehicle penalties as found in Wis. Stats. 23.33(13) (a), are adopted by reference.

(7) - Severability


The provision of this ordinance shall be deemed severable and it is expressly declared that the Township 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.

(8) - Effective Date

This ordinance becomes effective upon **posted notice that all required and proper signage has been erected to the satisfaction of the Town Board**

Passed this 8TH day of JANUARY, 2020

Town of Fredonia, Clerk



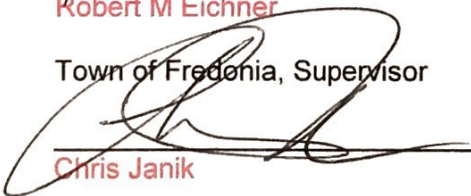
 Robert M Eichner

Town of Fredonia, Chairman




 Lance Leder

Town of Fredonia, Supervisor



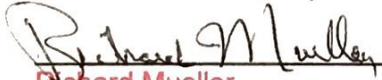
 Chris Janik

Town of Fredonia, Supervisor



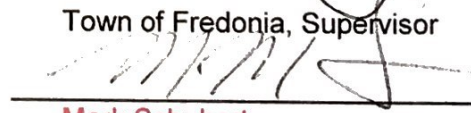
 Jim Stemper

Town of Fredonia, Supervisor



 Richard Mueller

Town of Fredonia, Supervisor



 Mark Schubert

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