

State of Wisconsin
Town of Stanley
Barron County

ORDINANCE #2019-01

Section I – Title and Purpose

The title of this ordinance is the Town of Stanley All-Terrain Vehicle and Utility Terrain Vehicle Route Ordinance. The purpose of this ordinance is to establish all-terrain and utility terrain vehicle routes in the town and to regulate the operation of all-terrain and utility terrain vehicles in the town.

Section II – Authority

The Town Board of the Town of Stanley, Barron County, Wisconsin, has the specific authority to adopt this All-Terrain Vehicle Route Ordinance under s.23.33(8)(b) and (11) Wis. Stats.

Section III – Adoption of Ordinance

The Town Board of the Town of Stanley, Barron County, Wisconsin, by this ordinance, adopted on proper notice with a quorum by a majority of the town board present and voting, provides the authority for the town to designate all-terrain and utility terrain vehicle routes in the town and to regulate the use of those routes and all-terrain and utility terrain vehicles in the town.

Section IV – Operation of All-Terrain Vehicles

Pursuant to s. 23.33(4)(d)4., Wis. Stats., except as otherwise provided in s. 23.33(4), Wis. Stats., no person may operate an all-terrain or utility terrain vehicle on the roadway portion of any highway in the town except on roadways that are designated as all-terrain and utility terrain vehicle routes by this ordinance. Operation of all-terrain and utility terrain vehicles on a roadway in the town that is an all-terrain and utility terrain vehicle route is authorized only for the extreme right side of the roadway except that a left turn may be made from any part of the roadway that is safe given prevailing conditions.

Section V – Designation of All-Terrain Vehicle Routes

All town highways are designated as all-terrain and utility terrain vehicle routes in the Town of Stanley unless signage indicating otherwise is posted.

Section VI – Conditions Applicable to All-Terrain Vehicle Routes

Pursuant to s. 23.33(8)(d), Wis. Stats., the following restrictions are placed on the use of all-terrain vehicle routes designated by this ordinance:

A. Routes shall be marked with uniform all-terrain and utility terrain vehicle route signs in accordance with s. NR 64.12(7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking town all-terrain and utility terrain vehicle routes:

1. Intentionally remove, damage, deface, move, or obstruct any uniform all-terrain and utility terrain vehicle route or trail sign or standard or intentionally interfere the effective operation of any uniform all-terrain and utility terrain vehicle route or trail sign or standard if the sign or standard is legally placed by the state, any municipality or authorized individual.

2. Possess any uniform all-terrain and utility terrain vehicle route or trail sign or standard of the type established by the department for the warning, instruction or information of the public, unless he or she obtained the uniform all-terrain vehicle route or trail sign or standard in a lawful manner. Possession of a uniform all-terrain and utility terrain vehicle sign or standard creates a rebuttable presumption of illegal possession.

B. Operation shall be subject to all provisions of s. 23.33, Wis. Stats., which is adopted as part of this ordinance by reference, pursuant to s. 23.33(11), Wis. Stats.

C. A copy of this ordinance shall be sent by the town clerk to the Barron County Sheriff's Department.

D. All all-terrain vehicle operators shall observe the posted speed limits. If a speed limit for ATV/UTVs is not posted, the speed limit shall be 45 mph unless the posted speed limit for all passenger vehicles is less than 45 mph. In such case, the ATV/UTV speed limit shall be the same as is posted for passenger vehicles

All all-terrain and utility terrain vehicle operators shall ride single file.

All all-terrain and utility terrain vehicle operators shall stay on the road surface, not on the shoulders or in the ditches.

Section VII – Enforcement

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

Section VIII – Penalties

The penalties under s. 23.33(13)(a) Wis. Stats., are adopted by reference.

Section IX – Severability

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are severable.

Section X – Effective Date

This ordinance is effective upon publication or posting of the ordinance and upon the necessary signage being posted on town highways.

The town clerk shall properly publish this ordinance as required under s. 60.80, Wis. Stats.

Adopted this 10th day of July 2019.

_____ Dennis Stillwell, Town Chair

_____ Monty Shearer, Supervisor

_____ Larry Moen, Supervisor

Attest: _____ James Hessel, Clerk