

# **TOWN OF DUNN**

## **ORDINANCE # 2014-001**

### **ALL-TERRAIN VEHICLES IN TOWN OF DUNN**

#### **Designation & Regulation of All Terrain Vehicle Routes**

##### **SECTION 1 TITLE AND PURPOSE**

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

##### **SECTION 2 AUTHORITY**

The Town Board of the Town of Dunn, Dunn County, Wisconsin has the specific authority to adopt this All-Terrain Vehicle Route Ordinance under Wisconsin's SS# 23.33(8)(b) and 23.33(11).

##### **SECTION 3 ADOPTION OF ORDINANCE**

The Town Board of Dunn, Dunn County, Wisconsin, by this ordinance, adopted on proper notice with a quorum and roll call vote by a majority of the Town Board present and voting, provided the authority for the town to designate all-terrain vehicle (ATV) routes in the town and to regulate the use of those routes.

##### **SECTION 4 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 vehicle on the roadway portion of any highway in the town except on roadways that are designated as all-terrain vehicle routes by this ordinance. Operation of all-terrain vehicles on a roadway in the town that is an all-terrain vehicle route is authorized only for the extreme right side of the roadway except that left turns may be made from any part of the roadway that is safe given prevailing conditions. On paved roadways all-terrain vehicles must be operated on the paved portion of the roadway and not on the gravel shoulder.

## **SECTION 5 DESIGNATION OF ALL-TERRAIN VEHICLE ROUTES**

The following routes are designated all-terrain vehicle routes in the town:

- 420th Street (River Road) from Town of Menomonie line to 370th Avenue (Daneville Road)
- 370th Avenue (Daneville Road) from 420th Street (River Road) to Town of Menomonie line
- 370th Avenue (Beaver Trail Road) from Town of Menomonie line to County Road Y
- 370th Avenue (Beaver Trail Road) from County Road Y to 570th Street (Church Road)
- 570th Street (Church Road) from 370th Avenue (Beaver Trail Road) to 240th Avenue (Church Road)
- 240th Avenue (Church Road) from 570th Street (Church Road) to 600th Street (Louisville Road)
- 600th Street (Louisville Road) from 240th Avenue (Church Road) to 210th Avenue (Chippewa Road)
- 210th Avenue (Chippewa Road) from County Road Y to 640th Street (Larrabee Road)
- 640th Street (Larrabee Road) from 210th Avenue (Chippewa Road) to 200th Avenue (River Road)
- 200th Avenue (River Road) from 640th Street (Larrabee Road) to Town of Spring Brook line
- 190th Avenue (Pleasant Valley Road) from County Road Y to 510th Street (Hardscrabble Road)
- 510th Street (Hardscrabble Road) from 190th Avenue (Pleasant Valley Road) to County Road Y
- 470th Street (Bammert Road) from County Road Y to 471st Street
- 471st Street from 470th Street (Bammert Road) to 70th Avenue (Bammert Road)
- 70th Avenue (Bammert Road) from 471st Street (Bammert Road) to County Road Y

## **SECTION 6 CONDITIONS OF ALL-TERRAIN VEHICLE ROUTES**

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

- A. Routes shall be marked with uniform all-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 all-terrain vehicle routes:
  - 1. Intentionally remove, damage, deface, move, or obstruct any uniform all-terrain vehicle route or trail sign or standard or intentionally interfere with the effective operation of a uniform all-terrain vehicle route or trail or standards if the sign or standard is legally placed by the state, any municipality or any authorized individual.
  - 2. Possess any uniform all-terrain vehicle route or trail sign or standard of the types 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 vehicle route or trail 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 a part of this ordinance by reference, pursuant to s.23.33(11), Wis. Stats.
- C. A copy of this ordinance shall be forwarded to the Dunn County Sheriff Department.

D. In addition to the provisions of s.23.33, Wis. Stats., the following restrictions are placed on the use of the town all-terrain vehicle routes designated by this ordinance:

1. All designated ATV trails are posted for 35 MPH. Operators shall reduce speed whenever the posted limit is less or as stated in the Wisconsin statutes that relate to ATV operation.
2. All ATV operators shall ride single file.
3. The allowed hours of operation shall be from dawn until dusk.
4. Anyone under the age of twelve (12) cannot operate an ATV on a road or route under any circumstances.
5. Anyone born after January 1, 1988 cannot operate an ATV on a roadway without a safety certification.
6. All ATV operators under the age of 18 years must wear a helmet.
7. Lights must be on at all times.
8. Operation will be April 1<sup>st</sup> until December 1<sup>st</sup>.

### **SECTION 7 SPECIAL PROVISIONS**

All signs, posts and similar material associated with the approved ATV trails, roads and streets in the Town of Dunn will be installed and maintained by an ATV Club or Organization through an agreement with the Town of Dunn. The said agreement will be reviewed annually by the Town Board to ensure compliance with all provisions of this ordinance.

### **SECTION 8 ENFORCEMENT**


Any law enforcement officer authorized to enforce the laws of the State of Wisconsin may enforce this ordinance.

### **SECTION 9 PENALTIES**

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

### **SECTION 10 EFFECTIVE DATE**

This ordinance is effective when all-terrain vehicle route signs are posted by the local ATV club(s) or organization(s) and can be discontinued at any time by the decision of the Town of Dunn Board.

  
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**Chairman, Don Heit**

  
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**1 Supervisor, Dennis Weber**

  
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**2 Supervisor John Miller**

Passed and approved this  
11<sup>th</sup> day of June, 2014.  
Recorded in the Regular  
Town Board Minutes dated 6/11/14

  
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**Vicki Price, Clerk-Town of Dunn**