

# **Town of Sterling, Polk County Wisconsin**

## **Designation and Regulation of All Terrain Vehicle Routes Ordinance # 072114**

### **Sec. 7-3-1 TITLE AND PURPOSE**

The title of this ordinance is the Town of Sterling ATV / UTV 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.

### **Sec. 7-3-2 AUTHORITY**

The Town Board of Sterling Township, Polk County, Wisconsin has the specific authority to adopt this All-Terrain Vehicle Route Ordinance under s23.33 (8) (b) and (11) Wis. Stats

### **Sec. 7-3-3 ADOPTION OF ORDINANCE**

The Town Board of Sterling Township, Polk 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 routes in the town and to regulate the use of those routes and all-terrain vehicles in the town.

### **Sec. 7-3-4 OPERATION OF ALL-TERRAIN VEHICLES**

Pursuant to s.23.33 (4) (d) 4, Wis. Stats, except as otherwise provided in s.23.22 (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 roadway all-terrain vehicles must be operated on the paved portion of the roadway and not on the gravel shoulder.

## **Sec. 7-3-5 DESIGNATION OF ALL-TERRAIN VEHICLE ROUTES**

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

All roads in the Town of Sterling that are properly signed as all terrain vehicle routes, excluding dead-ends, driveways and as stated below. Dead ends may be used only by town residents and only to access designated routes.

Roads not open for ATV / UTV use shall be:

State Highway 87

CTY Road B

CTY Road G

248<sup>th</sup> Ave, Sunny Acres Lane west to 250<sup>th</sup> Ave

250<sup>th</sup> Ave east from 300<sup>th</sup> Street to dead end

320<sup>th</sup> Street south, dead end from 250<sup>th</sup> Ave

## **Sec. 7-3-6 CONDITIONS TO ALL-TERRAIN VEHICLE ROUTES**

Pursuant to s.23.33 (8) (d), 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 an 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 provision 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 sent by the town clerk to the Polk 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 ATV operators shall observe a speed limit of not more than 35 mph on black top roads or the posted roadway speed limit, whichever is lower.
2. All ATV operators shall observe a speed limit of not more than 25 mph on unpaved roads or the posted roadway speed limit, whichever is lower.
3. All ATV operators shall ride single file.
4. The allowed hours of operation shall be from 5:00 a.m. to 10:00 p.m.
5. Anyone under the age of twelve (12) cannot operate an ATV on a road or route under any circumstances.
6. Anyone born after Jan. 1<sup>st</sup> 1988 cannot operate an ATV on a roadway without a safety certification.
7. All ATV operators under the age of 18 must wear a helmet.
8. Lights must be on at all times.

### **Sec. 7-3-7 ENFORCEMENT**

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

### **Sec. 7-3-8 PENALITIES**

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

### **Sec. 7-3-9 EFFECTIVE DATE**

This ordinance is effective when all-terrain vehicle routes signs are posted by the local ATV clubs and goes, for a probationary period of one year starting 7-21-14 to 7-20-15 but can be discontinued at any time by the decision of the Sterling Town Board.

Chairman; \_\_\_\_\_  
Thomas Schweitzer

Date: \_\_\_\_\_

Supervisor 1; \_\_\_\_\_  
Duane Doolittle

Date: \_\_\_\_\_

Supervisor 2; \_\_\_\_\_  
Dan Hinkel

Date: \_\_\_\_\_