

CHAPTER 8.04 ALL-TERRAIN VEHICLE ROUTES

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Sec. 8.04.01 Authorization

The town board has considered the recreational and economic value of all-terrain vehicle and utility-terrain vehicle (ATV/UTV) routes and trail opportunities weighed against protecting the public safety, liability aspects, terrain involved, traffic density, and history of automobile traffic. After due consideration, this ordinance is created to establish all-terrain vehicle and utility-terrain vehicle routes on public roadways and to regulate the operation of such vehicles on such routes and trails to provide safe and healthful conditions for the personal use ATVs/UTVs consistent with public rights and interest pursuant to town board authority under Wis. Stat. ss 60.22, 23.33(8), and 23.33(11)(a) and (am).

Sec. 8.04.02 State Laws Adopted

The statutory provisions in Wis. Stat. Chapters 23.33 and 340 to 348, establishing definitions and regulations with respect to ATVs and UTVs, and Wis. Adm. Code Chapter NR 64, are hereby adopted and by reference made a part of this chapter as if fully set forth herein. Unless otherwise provided in this chapter, any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this ordinance. Any future amendments, revisions or modifications of the statutes incorporated herein are made a part of this chapter in order to secure uniform statewide regulation of ATVs and UTVs.

Sec. 8.04.03 Designation of All-Terrain Vehicle and Utility-Terrain Vehicle Routes

- A. The following routes in the Town of Sumpter as designated All-Terrain Vehicle (ATV)/Utility-Terrain Vehicle (UTV) Routes for their entire length unless noted otherwise:

- (1) Huber Road;
- (2) Kings Corner Road;
- (3) New Haven Road;
- (4) Old Bluff Trail;
- (5) Stones Pocket Road, north of County Highway C;
- (6) Swiss Valley Road;
- (7) Von Wald Road;
- (8) Lehman Road, to be effective only when the Town of Baraboo has designated Lehman Road as an ATV-UTV route and the proper signage is installed;
- (9) Ski-Hi Road, to be effective only when the Town of Baraboo has designated Ski-Hi Road as an ATV-UTV route and the proper signage is installed.

B. ATV's may be operated on roads designated as Non-Through Road in the Town of Sumpter for the sole purpose of a resident riding to and from their residence. No other person shall operate an ATV or UTV on a road designated as a non-through road in the Town of Sumpter. Non-Through Roads in the Town of Sumpter are as follows:

- (1) Dischler Road;
- (2) Groth Road;
- (3) Stones Pocket Road South of Hwy C;
- (4) Nolden Drive;
- (5) Accola Avenue;
- (6) Sumpter Circle;
- (7) Luke Road;
- (8) Keitel Road;
- (9) Yanke Drive.

Sec. 8.04.04 Route Signs

Under the direction of the Town, route signs shall be provided by and shall be marked by the Honey Creek ATV/UTV Club, LLC or their successor with uniform all-terrain vehicle route signs in accordance with Wisconsin Administrative Code Nr 64.12 (7). Signs shall be inspected annually and shall be maintained by the Honey Creek ATV/UTV Club, LLC or their successor. The Town shall be notified immediately in any change in responsibility for maintenance of ATV/UTV Route signs. Failure of the Honey Creek ATV/UTV Club, LLC or their successors to inspect or maintain route signs may be considered just cause for suspension or termination of routes by the Town of Sumpter.

Sec. 8.04.05 Operation of ATVs and UTVs

- A. Operation of ATVs and UTVs on designated ATV/UTV routes shall be subject to all provisions of s. 23.33, Wis. Stats., which is adopted as a part of this ordinance by reference.
- B. Pursuant to s. 23.33 (8) (d), Wis. Stats., the Town of Sumpter restricts operation of ATVS and UTVs on the designated ATV/UTV routes to ½ hour before sunrise and ½ hour after sunset.
- C. ATVs and UTVs operated on an established ATV/UTV Route and Trails shall operate at a safe speed not to exceed 35 MPH or the posted speed limits, whichever is less.
- D. Every person who operates an ATV or UTV on the designated ATV/UTV routes shall have in their immediate possession a valid motor vehicle license as defined in §340.01(41g), Wis. Stats., and shall display the license upon request from any law enforcement officer.
- E. All ATV and UTV equipment is required to have applicable liability insurance and ATV or UTV operators shall have in their immediate possession proof of such insurance.
- F. No person under the age of 16 may operate an ATV or UTV on any segment of a town highway that is a designated ATV/UTV route.
- G. All ATV and UTV operators shall slow to a safe and prudent speed when there are animals on or near the roadway.

Sec. 8.04.06 **Notifications**

A copy of this ordinance shall be sent by the town clerk to the Sauk County Sheriff's Department, Sauk County Highway Department, and to the Wisconsin Department of Natural Resources.

Sec. 8.04.07 **Enforcement**

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

Sec. 8.04.08 **Penalties**

Any person who violates any sections of this ordinance or statutes adopted by reference, shall be subject to the penalties as set forth in Wis. Stats sec. 23.33 (13). Any person violating any provision of this ordinance shall, upon conviction, be subject to the forfeiture as provided therein.