

ATV/UTV ORDINANCE:

(1) Purpose:

The purpose of this ordinance ("Ordinance") is to establish all-terrain vehicle ("ATV") and utility terrain vehicle ("UTV") routes in the Town of Porter, and to regulate the operation of ATV/UTVs within the Town of Porter.

(2) Authority:

This Ordinance is adopted by the Town Board of the Town of Porter pursuant to Sections 23.33(8), and 23.33(11)(a) and (am), and 350.18 of the Wisconsin Statutes.

(3) Title and Effective Date:

This Ordinance shall hereafter be known, cited, and referred to as the *Town of Porter ATV/UTV Route Ordinance* and shall be effective immediately upon publication of due notice of the adoption of the Ordinance.

(4) Adoption of State Law:

Unless otherwise provided for in this Ordinance, the statutory provisions in Chapter 23, and 340 to 348, and 350 of the Wisconsin Statutes, which establish definitions and regulations with respect to ATVs and UTVs, are hereby and incorporated by reference as if fully set forth herein. Any future amendments, revisions or modifications of the statutes incorporated herein are made part of this Ordinance by reference to ensure uniform regulation of ATVs and UTVs within the State of Wisconsin.

(5) Definitions:

In this Ordinance:

- A. "ATV" has the meaning specified under Wis. Stat. § 340.02 (2g)
- B. "UTV" has the meaning specified under Wis. Stat. § 23.33(1)(ng).
- C. "Town" means the Town of Porter, Rock County, Wisconsin.
- D. "Town Board" means the Board of Supervisors for the Town of Porter, Rock County, Wisconsin and includes any designee of the Board authorized to act for the Board.

(6) Designated ATV/UTV Routes:

Pursuant to Wis. Stat. § 23.33(11)(1), all roads under the jurisdiction of the Town of Porter ("Town Roads") EXCEPT Tolles Road are designated ATV and UTV routes.

(7) Route Signage:

Under the direction of the Town, routes designated for ATV/UTV routes shall be marked and paid for by the Western Rock County ATV Club, or their successor, with uniform all-terrain vehicle route signs in accordance with Section NR64.12(7) of the Wisconsin Administrative Code. ATV/UTV Signage shall be inspected annually and shall be maintained by the Western Rock County ATV Club or their successors.

(8) Additional Restrictions

The following conditions and restrictions shall apply to designated ATV/UTV routes within the jurisdiction of the Town of Porter:

- A. ATV/UTV operators shall observe posted speed limits in addition to a 25 mile per hour speed limit on all Cooksville Streets controlled by the Town of Porter.
- B. ATV/UTV operators shall operate only on the far right side of a Town Road.
- C. ATVs/UTVs shall have operating headlights, taillights, and brake lights.
- D. ATVs/UTVs shall operate with headlights and taillights on at all times.
- E. Operators of ATVs/UTVs must use turn signals from dusk to dawn.
- F. ATV/UTV operators shall yield the right-of-way to other vehicles, pedestrians, and other electric personal assistive mobility devices using the roadway or shoulder.
- G. All designated ATV/UTV routes shall be closed between the hours of 10:00 p.m. to 5:30 a.m. every day.

(9) Enforcement and Penalties:

This Ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin. Any person who violates any section of this Ordinance or the statutes adopted by the reference shall be subject to the penalties set forth in Sections 23.33(13) and 350.11 of the Wisconsin States.

(10) Notifications:

A copy of this Ordinance shall be sent by the Town of Porter Clerk to the Evansville Police Department, Edgerton Police Department, Rock County Sheriff's Department, Wisconsin State Patrol, and the Wisconsin Department of Natural Resources.

(11) Severability Clause:

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

(12) Effective Date: Following passage by the Town Board, this Ordinance shall take effect the day after the date of publication or posting as provided by sec 60.80, Wis. Stats.

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ADOPTED this 16 day of May, 2022.

David Viney
David Viney
Town Board Chairman

May 16, 2022
Date

Rebecca Ottesen
Rebecca Ottesen
Town Clerk

May 16, 2022
Date

[Published/Posted] this 10th day of June, 2022.