

TOWN OF JEFFERSON

ORDINANCE 08-24

ATV /UTV

ORDINANCE FOR ALL TOWN ROADS

Section 1- General

Per Wis. Stas. Section 23.33, Wis. Stats. Section 349.11(11), and Wis. Admin. Code Chapter NR64, the Town of Jefferson, Jefferson County adopts the following all-terrain vehicle (ATV) and utility-terrain vehicle (UTV) ordinance for the operation of ATVs and UTVs upon the roads listed in Section 4. For the remainder of this ordinance, ATVs and UTVs will be collectively referenced as ATVs for brevity.

Section 2 – Applicability and Enforcement

The provisions of this Ordinance shall apply to all town roads within the jurisdiction of the Town of Jefferson including those state and county roads listed in section 4-2. The provisions of this ordinance shall be enforced by the Jefferson County Sheriff's Office.

Adoption of this ordinance shall not prohibit any law enforcement officer or DNR warden from proceeding under any other ordinance, regulation, statute, law, or order that pertains to the subject matter addressed under this section.

Section 3 – Limitations

The following limitations apply on all areas designated in this Ordinance:

Operators and passengers of all ATVs shall comply with all federal, state, and local laws, orders, regulations, restrictions, and rules, including, but not limited to, section 23.33 Wis. Stats.

ATVs shall be operated on the extreme right side of the roadways on the paved surface and ride single file.

ATV's may be operated on paved surfaces only, unless yielding the right-of-way.

ATVs shall not be operated at a speed greater than the posted speed limits.

ATV's may not be operated on any town roads, or State and County roads within the territorial boundaries of the Town of Jefferson, without fully functional headlights, taillights, and brake lights.

ATVs may not be operated on town roads within the territorial boundaries of the Town of Jefferson between the hours of 10:00 p.m. and 5:00 a.m.

Per Wis. Stats. 23.33 (5)(b) a safety certificate is required for anyone at least 12 years of age and born after January 1, 1988.

Section 4-1 – Designated ATV Routes

Under section 23.33(8)(b)2. Wis. Stats. all Town of Jefferson maintained roads are designated as ATV routes.

Section 4-2 – Roads Authorized for ATV Operation

Under section 23.33(11)(am)4. Wis. Stats., the Town of Jefferson can authorize the operation of ATVs on state and county trunk highways that have a posted speed limit of 35 mph or less within the territorial boundaries of the town. At this time, only (2) sections have been approved, USH 18 from the east Jefferson City limits to County Road Y, and US Highway 18 from Gruennert Street to the west driveway entrance of St. Peters Evangelical Lutheran School, W3255, in Helenville. The highways are not part of the national system of interstate and defense highways.

Section 5 – Route Signs

ATV routes must be signed in accordance with section 23.33(8)(e) Wis. Stats. and NR 64.12(7) Wisconsin Administrative Code.

The Jefferson County Highway Department shall furnish, install, and maintain all ATV route signage on town and state roads as approved by the Town of Jefferson Board of Supervisors to make sure all signage throughout the town is complete, consistent, and follows the Wisconsin Manual of Uniform Traffic Control Devices. Local ATV clubs will be assessed for the costs of the materials, installation, and maintenance of the ATV route signage.

ATV route signs may not be installed on all roads within the territorial boundaries of the Town of Jefferson but will be installed on town roads entering within the territorial boundaries of the Town of Jefferson. Only town roads within the territorial boundaries of the Town of Jefferson that are NOT ATV accessible will be marked as such.

Fiscal Note: Adoption of the Ordinance could have a potential cost impact for signage required on town roads. The cost of the signage will be provided by outside funding. If a problem arises the Town of Jefferson Board of Supervisors has the authority to use town funds if absolutely needed.

Section 6 – Penalties

This Ordinance shall be enforced by the Jefferson County Sheriff's Office or any law enforcement official as set forth in section 23.33(12) Wis. Stats., including the issuance of a citation under section 66.0113 Wis. Stats.

The penalties set forth in section 23.33(13) Wis. Stats., are adopted and incorporated by reference herein.

Section 7 – Maintenance

Designation of the Town of Jefferson town roads as ATV routes does not impose upon the Town of Jefferson Board of Supervisors a greater duty of care or responsibility for maintenance of town roads. Operators of ATVs on town roads assume all the usual and normal risks of ATV operation.

Section 8 – Effective Date

This Ordinance shall be effective upon enactment, posting, and the installation of proper signage.

Section 9 – Town of Jefferson Board of Supervisors Review

The Town of Jefferson Board of Supervisors may review any town roads for ATV usage and decide at any time to make changes and/or adjustments as needed. Any changes or roads closed will be posted at townofjefferson.com.

This ordinance replaces original *Ordinance 9-13, Ordinance 8-15, Ordinance 04-22* and *Ordinance 02-24* all originally granting various town roads as ATV use.

Adopted this 5th day of August, 2024.

Michael Hollinger, Chair

Curtis Backlund, Supervisor

Steve Habeck, Supervisor

Deb Kind, Supervisor

Tracie Stammer, Supervisor

ATTEST TO:

Tina Barnes, Clerk

Date Adopted: August 5, 2024

Date Posted: August 8, 2024

Town of Jefferson Website, Town Meeting Hall- St Coletta Cabin, Ron's Market, County City Credit Union, Premier Bank Jefferson