

## **AMENDMENT TO TOWN OF DECATUR ORDINANCE NO. 32**

**WHEREAS**, the Town Board of the Town of Decatur (the “Town Board”), County of Green, State of Wisconsin, passed Ordinance No. 32 (the “Ordinance”) in February of 2020 to regulate ATV and UTV usage on Town roads; and

**WHEREAS**, the Town Board intends to amend the Ordinance to be more similar to Green County’s ATV/UTV ordinance to allow for consistent rules and enforcement across the Town.

**NOW, THEREFORE, BE IT RESOLVED**, that Ordinance No. 32 be amended as follows:

1. Section Four of the Ordinance shall be removed in its entirety and replaced as follows:

### **SECTION 4. OPERATION OF ATVs/UTVs**

A. No person shall operate an ATV or UTV on any of the Town roads unless such Town roads are expressly designated as ATV/UTV routes in Section 3 of this Ordinance.

B. No person shall operate an ATV or UTV on any designated ATV/UTV routes which are closed for any reason.

C. The following restrictions apply to operation of ATVs and UTVs on all Town roads designated as ATV/UTV routes:

1. Operators shall abide by all traffic laws, including the rules of operation and equipment requirements contained in Wis. Stat. § 23.33 and Wis. Adm. Code. Ch. NR 64, unless further restricted by this chapter.

2. ATVs and UTVs may only be operated on an approved ATV/UTV route between the hours of 4:00 a.m. to 10:00 p.m. The hours of operation and speed limit will be listed on the ATV/UTV route signs, as provided in Section 3(C) of this Ordinance.

3. ATVs and UTVs shall be operated on a route at a safe speed not to exceed 35 miles per hour unless a reduced speed is otherwise required by law or roadway conditions.

4. All ATV and UTV operators shall slow to a safe and prudent speed when there are animals on or near the roadway.

5. All ATVs and UTVs must operate with fully functional headlights, taillights, and brake lights. All ATV or UTV operators shall ride in single file on the extreme right-hand side of the paved portion of the highway. Operation on the gravel shoulders, grassy in-slope, ditches, or other

highway right-of-way is prohibited. Left turns may be made from any part of the highway when it is safe given prevailing conditions.

6. Crossing should be made only at a place where no obstruction prevents a quick and safe crossing. "Obstruction" includes, but is not limited to, impairment of view and potentially hazardous roadway conditions.

7. No person under the age of 16 may operate an ATV or UTV on any segment of a Town road that is a designated ATV/UTV route.

8. Every person who operates an ATV or UTV on any segment of a Town road which is designated as an ATV/UTV route shall have in his or her immediate possession a valid motor vehicle operator's license, and shall display the license document upon demand from any law enforcement officer, state patrol officer, inspector under Wis. Stat. § 110.07(1), conservation warden, or municipal peace officer.

9. No person may ride in or on any part of an ATV or UTV that is not designated or intended to be used by any passengers.

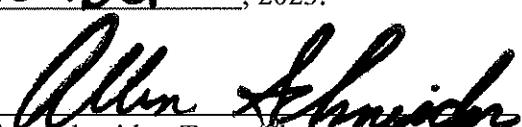
10. No operator or passenger of an ATV or UTV may possess, in or on an ATV or UTV on any Town road, any bottle or receptacle containing alcohol beverages if the bottle or receptacle has been opened, the seal has been broken, or the contents of the bottle or receptacle have been partially removed or released.

11. All ATV and UTV equipment is required to have applicable liability insurance and have proof of insurance.

12. No person may operate an ATV or UTV after sunset or before sunrise without functioning directional signal lamps on both the front and back of the ATV or UTV.

2. This Amendment shall take effect on November 1, 2023, after the Town Clerk properly publishes or posts the Amendment to Ordinance No. 32 as required by law.

Dated this 20 day of September, 2023.

  
Allen Schneider  
Allen Schneider, Town Chair