

ATV/UTV VEHICLE ORDINANCE

Town of Quincy, Adams County
Ordinance 1-2021

The Town Board of the Town of Quincy, Adams County, Wisconsin, does hereby ordain as follows:

Section I – Purpose.

The Town of Quincy, Adams County, adopts this Ordinance to establish All-Terrain Vehicle (hereinafter 'ATV'), and Utility Terrain Vehicle (hereinafter 'UTV') routes in the Town and to regulate the operation of ATV's and UTV's in the Town.

Section II – Statutory Authority.

This Ordinance is adopted under the authority provided under §23.33(8)(b) and (11) Wis. Stats.

Section III – Adoption of Ordinance – ATV/UTV Routes.

All Town Roads in the Town are hereby designated as ATV/UTV routes. They shall be signed in accordance with NR 64.12 and NR 64.12(7)(c). However, the Town Board reserves the right to close any route to ATV/UTV use and upon such vote and posting that such route is closed, that route may then no longer be used as an ATV/UTV route.

Section IV – Conditions and Restrictions on Operations.

In addition to the provisions contained in Wis. Stats. § 23.33 and Wis. Stats. Chaps. 340 to 348, and as a condition for the use of ATV and UTV routes designated and authorized herein, the following conditions and restrictions shall apply to all ATV and UTV operators and passengers, as applicable.

- a. No person shall operate an ATV or UTV with the Town from 12:00 a.m. to 6:00 a.m.
- b. Every person who operates an ATV/UTV in the Town of Quincy must have in their immediate possession a valid motor vehicle operator's license. In addition, operators born after 1988 shall also have in their possession the ATV/UTV safety certificate.
- c. Every person who operates an ATV/UTV in the Town of Quincy shall carry liability and/or other insurance consistent with Wisconsin law for the operation of a motorized vehicle.
- d. Consistent with Wis. Stats. 22.33(4c), no person shall operate an ATV/UTV while under the influence of an intoxicant to a degree which renders him or her incapable of safe

operation of the ATV/UTV. Notwithstanding the preceding sentence, under no circumstances shall an individual operate an ATV/UTV while the individual has a blood alcohol concentration (BAC) of 0.08 or higher. No operator or passenger of an ATV/UTV under the age of 21 shall have a BAC higher than 0.00. No operator or passenger of an ATV/UTV shall have an open intoxicant in their immediate possession.

e. Consistent with Wis. Stat. 23.33(4c), no operator or passenger of an ATV/UTV shall have a detectable amount of a restricted controlled substance in his or her blood.

f. All ATV/UTV operators shall observe posted speed limit or 35 mph, whichever is the lesser.

g. All ATV/UTV operators and passengers shall wear a seat belt if originally equipped.

h. All ATV/UTV operators shall ride single file.

Section V – Enforcement.

A copy of this ordinance shall be sent by the Town Clerk to the Department of Natural Resources, the Adams County Sheriff's Department and any other law enforcement agency serving the Town of Quincy's jurisdiction. This ordinance shall be enforced by any law enforcement office authorized to enforce the laws of the State of Wisconsin.

Section VI – Penalties.

Wisconsin State ATV/UTV vehicle penalties, as found in §23.33(13), Wis. Stats., are hereby adopted by reference.

Section VII – Severability.

The provision of this ordinance shall be deemed severable. It is expressly declared that the Town of Quincy would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held, the remainder of the ordinance and the application of such provisions to other persons and circumstances shall not be deemed affected.

Section VIII – Effective Date.

This ordinance becomes effective upon passage and posting/publication and proper signing according to the Quincy Highway Department and Adams County Highway Department, as provided by law.

Passed this 26th day of August, 2021

TOWN OF QUINCY, TOWN BOARD

Mary Firari

Mary A. Firari, Chair

Ken Bork, Supervisor I

Sharon Treznick

Sharon Treznick, Supervisor II

Attest:

Kathy Bork

Kathy Bork, Clerk-Treasurer