

**Town of Rutland**  
**ORDINANCE NO. 2024-09=01**  
**Dane County, WI**

**Section I – Intent**

The Town of Rutland, Dane County adopts the following all-terrain vehicle (ATV) and utility-terrain vehicle (UTV) ordinance for the operation of all-terrain and utility-terrain vehicles upon the roads listed in Section IV

**Section II – Statutory Authority**

The ordinance is created pursuant to the authority granted to the Town by §§ 23.33(8)(b) and (11)(a), Wis. Stats.

**Section III – Adoption of State Statutes.** The provisions of § 23.33, Wis. Stats. and § NR 64.07, Wis. Admin. Code regulating the use of ATVs and UTVs on public roads are hereby adopted by reference.

**Section IV – Routes**

The following roads are designated as ATV and UTV routes:

All town roads except – Deer Point Rd. McComb Rd. Oak Opening Drive - located within the Town of Rutland, but only after signs have been installed on such roads in accordance with § 23.33(8), Wis. Stats.

**Section IV - Condition Uses of ATVs or UTVs on ATV/UTV routes:**

1. All ATV/UTV operators shall ride single file and on far right side of the road.
2. All ATV/UTVs shall have operating headlights, taillights and brake lights.
3. All ATV/UTVs shall operate with headlights and taillights on at all times.
4. ATV/UTV operators shall yield the right-of-way to other vehicles, pedestrians, bicycles and electric personal assistive mobility devices using the roadway or shoulder.
5. All ATV/UTVs must be covered by a policy of liability insurance written by a company authorized to issue such policies in Wisconsin with limits of not less than \$25,000 per person and \$50,000 per occurrence.
6. These ATV/UTV routes shall have a speed limit based on posted speed limits within the town.
7. ATVs and /UTVs shall not be operated on routes between the hours of 10:00 p.m. and 5:00 a.m.
8. All ATV/UTV operators shall remain on designated routes and shall not trespass on private property.
9. No person under the age of sixteen (16) may operate an ATV/UTV on any segment of town roads, except to the extent authorized by § 23.33(4)(d). All ATV/UTV operators must hold a valid driver's license.
10. All ATV/UTV operators and passengers under the age of 18 are required to wear protective headgear of a type which meets the standards established for motorcycle operation in 49 CFR 571.218, with chin strap properly fastened.
11. Routes must be signed in accordance with §NR4.-12 Wis Admin.code. Signage will be provided by outside funding.
12. No person may do any of the following in regard to signs marking town ATV/UTV routes:
  1. Intentionally remove, damage, deface, move. or obstruct any ATV/UTV route or trail signs or intentionally interfere with the effective operation of signs if the sign is legally placed by the state., the Town or any authorized individual.
  2. Possess any uniform ATV/UTV route or trail sign or any uniform sign or standard for the operation of a utility terrain vehicle on an all-terrain vehicle route or trail, the type established by law for the warning, instruction or information to the public, unless he or she obtained the route or trail sign in a lawful manner. Possession of a uniform ATV/UTV route or trail sign creates a rebuttable presumption of illegal possession.
13. A copy of this ordinance shall be sent to the Department of Natural Resources, the State of Wisconsin traffic patrol, and the Dane County Sheriff's Department.

**Section VI – Enforcement**

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

#### **Section VII – Penalties**

Penalties for violations of this ordinance shall be as provided in § 23.33(13), Wis. Stats.

#### **Section VII – Severability**

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.


#### **Section X – Effective Date**

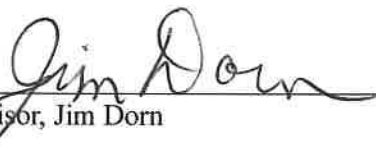
The ordinance becomes effective upon passage by the Town Board, publication in accordance with §60.80, Wis. Stats. and the erection of the required signs.


Enacted this 2nd day of OCTOBER, 2024.

Passed this 2nd day of OCTOBER, 2024.

  
Chairman, Kent Knutson

  
Supervisor, Sue Williams

  
Supervisor, Jim Dorn

  
Supervisor, Mark Porter

  
Supervisor, Nancy Nedveck

  
Clerk, Dawn George