

**CITY OF DODGEVILLE
ORDINANCE NO. 2022-02**

AN ORDINANCE TO REPEAL AND RECREATE SECTION 7.145 OF THE MUNICIPAL CODE OF THE CITY OF DODGEVILLE, IOWA COUNTY, WISCONSIN, RELATING TO ALL-TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE OPERATION AND ROUTES AND ESTABLISHING PENALTIES FOR VIOLATION THEREOF

THE COMMON COUNCIL OF THE CITY OF DODGEVILLE, IOWA COUNTY, WISCONSIN, DO HEREBY ORDAIN AS FOLLOWS:

Section I: Section 7.145 of the Municipal Code of the City of Dodgeville shall be and hereby is repealed and recreated to read as follows:

“7.145 ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES AND ROUTES

- (1) **AUTHORITY AND PURPOSE.** The purpose of this ordinance is to establish all-terrain vehicle (ATV) routes in the City and to provide safe and enjoyable ATV/UTV recreation consistent with public rights and interests pursuant to Wis. Stat. sec. 23.33.
- (2) **APPLICABILITY AND ENFORCEMENT; DESIGNATION OF ROUTES.**
 - (a) The provisions of this ordinance shall apply as described below:
 - (i) Under Wis. Stat. sec. 23.33(8)(b), the City designates all City-maintained roads and streets as ATV routes except any road or street that is signed to prohibit ATV/UTV use.
 - (ii) Under Wis. Stat. sec. 23.33(11)(am)4., the City authorizes the operation of ATVs on:
 1. STH 23 from the intersection with CTH YZ/King St. to the intersection with Military Ridge Road.
 2. STH 191 from intersection with Union St. to the Eastern City limits.
 3. CTH B from intersection with STH 23 to the Western City limits.
 4. CTH CH from intersection with Montgomery Street to the Western City limits.
 5. CTH YZ from the intersection with STH 23 (also known as N. Bequette St.) to the intersection with Bennett Rd.
 - (iii) Under Wis. Stat. sec. 23.33(1m)(c), utility terrain vehicles (UTVs) may be operated on all roads and streets in the City on which ATVs may be operated.
 - (b) The operation of ATVs and UTVs with snow removal devices attached is permitted on any roadway, or adjacent to any roadway, if

the applicable roadway speed limit is greater than 45 miles per hour, and regardless of whether the City has jurisdiction over the roadway.

- (c) The provisions of this section shall be enforced by the City of Dodgeville Police Department. 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.
- (3) **AUTHORITY TO CLOSE ROUTES.** The Chief of Police or the Director of Public Works or their designees may declare any route, or part thereof, in the City temporarily closed at any time.
- (4) **RULES OF OPERATION.** The following rules of operation apply on all routes:
- (a) Speed. No ATV/UTV shall be operated at a speed greater than the speed limit on any road.
 - (b) Lights. No ATV/UTV may be operated on the routes without fully functional headlights, tail-lights, and brake lights. Every ATV/UTV being operated on the routes must display a lighted headlamp and tail lamp at all times.
 - (c) Roadway Travel. On any ATV route, all ATV/UTV operation is authorized only for the extreme right side of the roadway except that left turns may be made from any part of the roadway which is safe given prevailing conditions. All ATVs and UTVs must operate in single file. Operation on paved shoulders intended for bicycle or pedestrians, gravel shoulders, sidewalks, grassy in-slope, ditches or other highway right-of-way is prohibited unless the ATV or UTV is actively being used for snow removal.
 - (d) Operation. ATV/UTV operation on the routes shall be in accordance with the provisions of the Wisconsin State Statutes, the Wisconsin Administrative Code and all other applicable ordinances, as the same may be amended from time to time.
 - (e) Open Intoxicants. No person may possess on his or her person or in or on an ATV or UTV upon any route, 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.
 - (f) Seatbelts. All UTV operators and passengers must have their seatbelts fastened at all times.
- (5) **HOURS OF OPERATION.** ATV/UTV operation is prohibited between 11:00 p.m. and 6:00 a.m. the following day.

(6) OPERATORS.

- (a) All operators of ATVs/UTVs on City routes shall be at least 16 years of age.
- (b) All operators of ATVs/UTVs shall possess a valid driver's license.
- (c) All operators of ATVs/UTVs shall possess valid proof of insurance.
- (d) All operators of ATVs/UTVs who were born after January 1, 1988, shall possess a valid safety certificate.

(7) ROUTE SIGNS.

- (a) The City will install signs on each highway that crosses its territorial boundary in a position to be viewed by motorists as they enter the City that alerts motorists that all highways under the jurisdiction of the City have been designated as all-terrain vehicle routes. Signs shall conform to the requirements of Wisconsin law, the Manual on Uniform Traffic Control Devices, the Wisconsin Department of Transportation and the Wisconsin Department of Natural Resources, at locations required under this ordinance as designated by the Common Council or its authorized representative.
- (b) No person may erect, remove, obscure, or deface any official designated route sign unless authorized by the Common Council.

(8) PENALTIES.

- (a) The penalties under Wis. Stat. sec. 23.33(13) are adopted by reference. Deposits for violations shall be required in accordance with the Revised Uniform State Traffic Deposit Schedule, as the same may be amended from time to time.
- (b) Juvenile penalties shall be as permitted under Wis. Stat. sec. 938.17. Deposits for violations shall be required in accordance with the Revised Uniform State Traffic Deposit Schedule, as the same may be amended from time to time and as the same may apply to juveniles.
- (c) The penalty for any violation of this ordinance for which no statutory penalty is provided shall be \$50.00 together with court costs, fees and assessments except that the penalty for violation of section (4)(e) shall be \$100.00 together with court costs, fees and assessments.

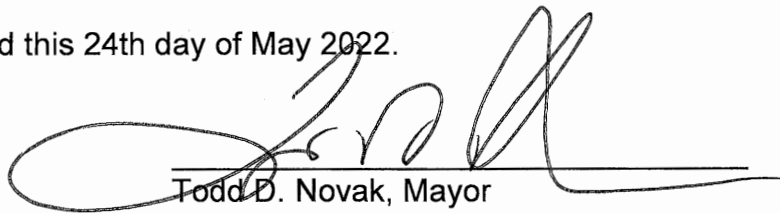
- (9) SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the

invalid provision or application, and to this end, the provision of this ordinance are severable.

- (10) SAVINGS CLAUSE. This section shall in no way be deemed to supplant or otherwise invalidate any provision of state statutes relating to the subject matter hereof. Any person entrusted with the enforcement of this section may, in the exercise of his or her discretion, proceed under applicable state statutes.
- (11) COPIES TO BE DISTRIBUTED TO LAW ENFORCEMENT. The City Clerk shall immediately send a copy of this ordinance to the Department of Natural Resources, to the state traffic patrol, and to the Iowa County Sheriff's Department."

Section II: This ordinance shall become effective upon its passage and publication as required by law.

Adopted and approved this 24th day of May 2022.



Todd D. Novak, Mayor

ATTEST:



Lauree M. Aulik, City Clerk

Date Adopted:	<u>5-24-2022</u>
Date Published:	<u>6-2-2022</u>
Effective Date:	<u>6-17-2022 and Upon Installation of Signs</u>

The Common Council of the City of Dodgeville, Iowa County, Wisconsin, by this ordinance, adopted on proper notice with a quorum and roll call vote by a majority of the Common Council present and voting, provides the authority for the City to designate all-terrain vehicle and utility terrain vehicle routes in the City, and to regulate the use of those routes and all-terrain vehicles and utility terrain vehicles in the City.



Todd D. Novak, Mayor

ATTEST:



Lauree M. Aulik, City Clerk

