

**ORDINANCE NO. 2017-001**  
**(Town of Arena All-Terrain and Utility-Terrain Vehicle Route Ordinance.)**

The Town of Arena, IOWA County, does hereby ordain as follows:

**SECTION 1: PURPOSE:**

Following due consideration of the recreational and economic value to connect trails and the opportunities for recreational and farm continuity, this ordinance regulates the operation of All-Terrain (ATV's) and Utility-Terrain Vehicles (UTV's) in the Township by adopting certain state statutes and certain Iowa County Ordinances. It permits law enforcement to issue citations for violations. Pursuant to Wis. Stat. §23.33(11)(b), If a town adopts an ordinance regulating all-terrain vehicles, utility terrain vehicles, or both, its clerk shall immediately send a copy of the ordinance to the Department (DNR), to the state traffic patrol, and to the office of any law enforcement agency of each county, town, city, or village having jurisdiction over any of the highways to which the ordinance applies.. This ordinance is to establish ATV and UTV vehicle routes on public roadways in the Town and to regulate the operation of such vehicle routes in the Town to provide safe and healthful conditions for the enjoyment of ATV/UTV operators consistent with maintaining public rights and interests.

**SECTION 2: CODE SECTION CREATED:**

Town of Arena Ordinance 2017-001 is created.

**SECTION 3: CODE SECTION AS CREATED.**

Town of Arena Ordinance 2017-001 is created as follows:

All Terrain Vehicles. Wis. Stat. §23.33 (3) through (3g), (4) through (4)(f), (5) through (5)(c), (6) through (6)(i), (6m),(6r) and (13) and Iowa County Ordinance 600.18B are adopted by reference, as applicable.

**SECTION 4: SAVING CLAUSE:**

This Ordinance shall in no way be deemed to supplant or otherwise invalidate any provision of state statutes or County Ordinance relating to the subject matter hereof. Any person entrusted with the enforcement of this Ordinance may, in the exercise of his or her discretion, proceed under applicable state statutes.

SECTION 5: SEVERABILITY:

Should any section, clause or provision of this Ordinance be declared by the Courts or statute or County Ordinance to be invalid, the same shall not affect the validity of the remaining sections or clauses of the Ordinance.

SECTION 6: AUTHORITY :

The Town Board of Arena, Iowa County, Wisconsin, has the specific authority to adopt this Ordinance under s.23.33(8)(b) and (11), Wis. Stats.

SECTION 7: DESIGNATION OF ATV/UTV ROUTES:

All Town roads, within the Township of Arena, that are signed in accordance with s. NR 64.12(7), Wisconsin Administrative Code, are hereby designated ATV/UTV Routes for their entire length unless signed otherwise or prohibited by statute or county ordinance.

1) All required designated route signs shall be paid for, installed and maintained by an ATV/UTV club, with approval and removal of the signs by the Town of Arena Public Works Department.

2) The Town of Arena Chairperson shall have the authority to temporarily close or terminate any ATV/UTV route enacted by this Ordinance for a period of thirty (30) days or less due to an emergency situation or condition, as designated by the Town Chairperson. Closures for duration of greater than thirty (30) days shall be reviewed by the Town Board.

SECTION 8: ENFORCEMENT:

This ordinance shall be enforced under Wis. Stat. §23.33(12)(a)(b).

SECTION 9: EFFECTIVE DATE:

This Ordinance shall be in force from and after its introduction and publication as provided by statute.

Adopted by the Town of Arena Board of Supervisors this \_\_\_\_ day of \_\_\_\_\_, 2017

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Dave Lucey, Town of Arena Board Chair

Attested to by the Town of Arena Clerk

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Cathy Acker