

## ORDINANCE 22.39

### Regulation of ATV/UTV Routes in the Town of Dunbar

The Town Board of the Town of Dunbar, County of Marinette, Wisconsin, has the specific authority under s. 60.0113 Wis. stats., to adopt this ordinance, AND,

**WHEREAS**, the purpose of this ordinance is to designate, control and regulate ATV and UTV travel on any and all Town of Dunbar Highways.

#### **Section I- Intent**

The Town of Dunbar, Marinette County, State of Wisconsin adopts the following all-terrain vehicle ordinance/route for the operation of all-terrain vehicles upon the roadways listed in Section III.

Following due consideration of the recreational value to connect trail opportunities, promote tourism and economic growth weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, this ordinance has been created.

#### **Section II- Statutory Authority**

This route is created pursuant to town authority under section 11.a as authorized by 23.33 (8) (b), Wis, Stats.

The applicable provisions of the 23.33 regulating ATV/UTV operation pursuant to routes are adopted.

#### **Section III- Routes**

All Town of Dunbar roads are designated routes except any road signed by the Town of Dunbar to be exempt based on possible dangers, public health, liability aspects, terrain involved, traffic density, and history of automobile traffic.

#### **Section IV- Conditions**

As a condition for the use of this route, the following conditions shall apply to all operators (and passengers):

- A. All ATV/UTV operators shall observe posted roadway speed limits.
- B. All ATV/UTV operators shall ride single file
- C. All ATV/UTV operators shall slow the vehicle to 15 MPH or less when operating within 150 feet of a dwelling.
- D. Routes must be signed in accordance with NR 64.12, and NR 64.12(7) c.

- E. All ATV/UTV operators shall be a minimum of 16 years of age.
- F. All ATV/UTV operators shall make complete stop before crossing roads.
- G. All ATV/UTV operators shall yield the right-of-way to other vehicular traffic.

#### **Section V- Enforcement**

This ordinance shall be enforced by the town chairman, his designee or any law enforcement officer authorized to enforce the laws of the state of Wisconsin, Marinette County.

#### **Section VI- Penalties**

Wisconsin state ATV/UTV penalties as found in 23.33 (13) (a) Wis. Stats., are adopted by reference.

#### **Section VII- Authority and Severability**

The provision of this ordinance shall be deemed severable, and it is expressly declared that the Town of Dunbar would have passed the other provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other person's circumstance shall not be deemed affected.

This ordinance supersedes all previous ATV/UTV ordinances upon adoption.

#### **Section VIII- Effective Date**

Following passage by the Dunbar Town Board, this ordinance shall take effect September 10, 2021, 30 days after the date of publication or posting as provided by sec. 60.80, Wis. Stats. AND its adoption by the Town of Dunbar Board of Supervisors.