

All-Terrain Vehicle (ATV) Route Ordinance
STATE OF WISCONSIN
Price County

SECTION I - TITLE AND PURPOSE. The title of this ordinance is the Price County All-Terrain Vehicle (ATV) Route Ordinance. The purpose of this ordinance is to establish and regulate ATV routes on designated Price County Highways (defined as highways owned and maintained by Price County).

SECTION II - AUTHORITY. The Price County Board, Price County Wisconsin, has the specific authority to adopt this ATV Route Ordinance under Wis. Stats. §23.33(8)(b) and (11).

SECTION III - ADOPTION OF ORDINANCE. The Price County Board, Price County, Wisconsin, by this ordinance, adopted on proper notice with a quorum and majority vote of the Price County supervisors present and voting, provides the authority for the County to designate ATV routes on Price County Highways and to regulate the use of those routes and ATVs.

SECTION IV - OPERATION OF ATVs. Pursuant to Wis. Stats. §23.33(4)(d) 4, except as otherwise provided in Wis. Stats. §23.33(4), no person may operate an ATV on the roadway portion of any Price County Highway except portions designated as ATV routes under this ordinance. Operation of ATVs on a Price County Highway that is an ATV route is authorized only for the extreme right side of the roadway--not the shoulders--except that left turns may be made from any part of the roadway that is safe given prevailing conditions.

SECTION V - DESIGNATION OF ATV ROUTES. No portion of any Price County Highway shall be deemed to be an ATV route unless it is so designated on the map entitled "Official Price County Highway ATV Routes, Price County, Wisconsin" maintained by and displayed in the Price County Clerk's office at the Price County Courthouse and the office of the Price County Highway Department, 704 N Lake Ave, Phillips, Wisconsin, and unless such designated portion of the Price County Highway is legally signed as an ATV route. All notations and references shown on the map are incorporated into this ordinance. The Price County Highway Committee is hereby authorized to make changes to the map upon motion approved at any properly noticed meeting of said committee or by the Price County Board upon motion approved at any properly noticed meeting of said board. Any request for the addition of a new ATV route or for a modification to an already existing ATV route must be submitted to the Price County Highway Committee; said Committee shall send a copy of such request (even if such request comes from the Price County Highway Department) to the Price County ATV Trail Association (or its successor) at least two weeks prior to the first Price County Highway Committee meeting at which such request shall be discussed and/or acted

upon in order to give the Price County ATV Trail Association (or its successor) time to give its comments and suggestions to the Price County Highway Committee. Any such request for a new ATV route or for a modification to an already existing ATV route must indicate which ATV organization will be responsible for purchasing signs for the route affected and the name of the contact person for said organization, although, if the request is granted, the Price County Highway Department will be responsible for the actual installation of such signs purchased by said ATV organization. However, the Price County Highway Commissioner may remove any route as a result of any problems or safety concerns pending a full report and decision upon such route by the Price County Highway Committee.

SECTION VI - CONDITIONS APPLICABLE TO ATV ROUTES.

Pursuant to s. 23.33 (8) (d), Wis. Stats., the following restrictions are placed on the use of ATV routes upon any portion of Price County Highways designated by this ordinance on and the map created by it:

- A. Routes shall be marked with uniform ATV route signs in accordance with S. NR 64.12 (7), Wisconsin Administrative Code. No person may do any of the following with respect to signs marking ATV routes upon any designated portion of Price County Highways:
 1. Intentionally remove, damage, deface, move, or obstruct any uniform ATV route or trail sign or standard or intentionally interfere with the effective operation of any uniform ATV route or trail sign or stands if the sign or standard is legally placed by the state, any municipality, or any authorized individual.
 2. Possess any uniform ATV route or trail sign or standard of the type established by the department for the warning instruction or information of the public, unless he or she obtained the uniform ATV route or trail sign or standard in a lawful manner. Possession of a uniform ATV route or trail sign or standard creates a rebuttable presumption of illegal possession.
- B. Operation shall be subject to all provisions of s. 23.33, Wis. Stats., which is adopted as a part of this ordinance by reference, pursuant to s. 23.33 (11), Wis. Stats.
- C. A copy of this ordinance together with the map referenced herein and any future amendments to either this ordinance or the map shall be sent by the Price County Highway Department to the Price County Sheriff's Department and to the Wisconsin Department of Natural Resources.
- D. Restrictions:
 - All ATV operators shall observe posted ATV roadway speed limits unless such roadway speed limits are in excess of 35mph, in which case the ATV speed limit shall be 35mph.
 - All ATV operators shall ride single file on the right side of the

pavement, but shall not operate on the shoulders or in the ditch.

- ATV operators will be at least 18 years of age or accompanied by an adult.

- Unless otherwise indicated on the “Official Price County Highway ATV Routes, Price County, Wisconsin” referenced above, ATV routes upon any Price County Highways shall be open and available for ATV use from May 15 through October 15 of each year.

- Headlights shall be on at all times.

- ATVs shall yield the right-of-way to other vehicular traffic and pedestrians.

SECTION VIII - ENFORCEMENT. This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the state of Wisconsin.

SECTION IX - PENALTIES. The penalties in s. 23.33 (13) (a), Wis. Stats., are adopted by reference.

SECTION X - SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance and the application of such remaining provisions shall not be deemed affected.

SECTION XI - EFFECTIVE DATE. This ordinance shall become effective upon publication and once full uniform ATV route signage is in place in accordance with Wisconsin Administrative Code.

SUBMITTED BY: Highway Committee

Richard Schneider, Chairman

Adopted by the Price County Board of Supervisors this ____ day of _____, 2010.

Robert Kopisch, County Board Chair

Jean Gottwald, County Clerk

For _____ Against