

Ordinance Number 2009-01-21
All-Terrain Vehicle Routes Ordinance

STATE OF WISCONSIN
Town of Union, Burnett County

SECTION I - TITLE AND PURPOSE

The title of this ordinance is the Town of Union All-Terrain Vehicle Route Ordinance. The purpose of this ordinance is to establish all-terrain vehicle routes in the township and to regulate the operation of all-terrain vehicles in the township.

SECTION II - AUTHORITY

The Town Board of the Town of Union, Burnett County, Wisconsin, has the specific authority to adopt this All-Terrain Vehicle Route Ordinance under s. 23.33 (8) (b) and (11), Wisconsin Statutes.

SECTION III - ADOPTION OF ORDINANCE

The Town Board of the Town of Union, Burnett County, Wisconsin, by this ordinance, adopted on proper notice with a quorum and roll call vote by a majority of the Union Town Board present and voting, provides the authority for the Town of Union to designate all-terrain vehicle routes in the Town of Union and to regulate the use of those routes and all-terrain vehicles in the Town of Union.

SECTION IV - OPERATION OF ALL-TERRAIN VEHICLES

Pursuant to s. 23.33 (4) (d) 4., Wisconsin statutes, except as otherwise provided in s. 23.33 (4), Wisconsin statutes: no person may operate an all-terrain vehicle on the roadway portion of any highway in a town except on roadways that are designated as all-terrain vehicle routes by this ordinance. Operation of all-terrain vehicles on a roadway in a town that is an all-terrain vehicle route is authorized only for the extreme right side of the roadway except that left turns may be made from any part of the roadway that is safe given prevailing conditions.

SECTION V - DESIGNATION OF ALL-TERRAIN VEHICLE ROUTES

The following routes are designated all-terrain vehicle routes in the Town of Union:

1. Welch Road from the Lincoln Town line north to the tee in the road and west from there to the Doty Fire Line Trail.
2. One short section of North River Road (approximately 1¼ miles) from the Danbury Town line west to Trail # 45.

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SECTION VI - CONDITIONS APPLICABLE TO ALL-TERRAIN VEHICLE ROUTES

Pursuant to [s. 23.33 \(8\) \(d\)](#), Wisconsin statutes, the following restrictions are placed on the use of the Town of Union all-terrain vehicle routes designated by this resolution:

A. Routes shall be marked with uniform all-terrain vehicle route signs in accordance with [s. NR 64.12 \(7\)](#), Wisconsin Administrative Code. Specific signage shall be purchased, provided and installed by the ATV Club(s) who requested these routes. No person may do any of the following in regard to signs marking the Town of Union all-terrain vehicle routes:

1. Intentionally remove, damage, deface, move, or obstruct any uniform all-terrain vehicle route or trail sign or standard or intentionally interfere with the effective operation of any uniform all-terrain vehicle route or trail sign or standard if the sign or standard is legally placed by the state, any municipality or any authorized individual.
2. Possess any uniform all-terrain vehicle 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 all-terrain vehicle route or trail sign or standard in a lawful manner. Possession of a uniform all-terrain vehicle 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](#), Wisconsin statutes, which is adopted as a part of this ordinance by reference, pursuant to [s. 23.33 \(11\)](#), Wisconsin statutes.

C. A copy of this ordinance shall be sent by the Town of Union clerk to the Burnett County Sheriff's Department.

- All ATV operators shall observe posted roadway speed limits of 20 mph.
- All ATV operators shall ride single file

SECTION VII – ENFORCEMENT

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

SECTION VIII – PENALTIES

The penalties under in [s. 23.33 \(13\) \(a\)](#), Wisconsin Statutes, are adopted by reference.

SECTION IX - 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 provisions of this ordinance are severable.

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SECTION X - EFFECTIVE DATE

This ordinance is effective on publication or posting for a one-year trial period from the date adopted and specified below. Only the Town of Union Board may extend the stated time period.

The town Clerk shall properly publish this ordinance as required under [s. 60.80](#), Wisconsin statutes.

Adopted this 21st day of January 2009.

Signatures of the Town of Union Board:

Tom Niles CHAIRMAN

Wayne Burmeister SUPERVISOR

Maureen A. Muel SUPERVISOR

Attested: Town of Union Clerk:

David T. Gibson