

02/04/2014

THE TOWN OF RED CEDAR ATV/UTV ROUTE ORDINANCE
Ordinance No. 2014-1

Designation and Regulation of All-Terrain Vehicle and Utility-Task Vehicle Routes

SECTION 1 – TITLE AND PURPOSE

The title of this ordinance is The Town of Red Cedar ATV/UTV Route Ordinance. The purpose of this ordinance is to establish all-terrain and utility-task vehicle routes in the town and to regulate the operation of all-terrain and utility-task vehicles in the town.

SECTION 2 – AUTHORITY

The Town Board of the Town of Red Cedar, Dunn County, Wisconsin, has the specific authority to adopt this ATV/UTV Route Ordinance under 2011 Wisconsin Act 208, s. 23.33(8)(b) and 23.33(11), Wis. Stats. The applicable provisions of 23.33 regulating all ATV/UTVs pursuant to routes are adopted.

SECTION 3 – ADOPTION OF ORDINANCE

The Town Board of the Town of Red Cedar, by this ordinance, adopted on proper notice with a quorum and roll call vote by a majority of the Town Board present and voting, provided the authority for the town to designate all-terrain and utility-task vehicle routes in the town and to regulate the use of those routes.

SECTION 4 – OPERATION OF ALL TERRAIN AND UTILITY TASK VEHICLES

Pursuant to s. 23.33(4)(d)4, except as otherwise provided in s. 23.33(4), no person may operate an all-terrain or utility-task vehicle on the roadway portion of any highway in the town except on roadways that are designated as all-terrain and utility-task vehicle routes by this ordinance. Operation of all-terrain and utility-task vehicles on a roadway in the town that is an all-terrain and utility-task 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. On paved roadways, all-terrain and utility-task vehicles must be operated on the paved portion of the roadway and not on the gravel shoulder.

SECTION 5 – DESIGNATION OF ALL-TERRAIN AND UTILITY-TASK VEHICLE ROUTES

The following routes are designated all-terrain and utility-task vehicle routes in the town:

- 410th Avenue from the Town of Menomonie line, east to County Road J
- 430th Avenue from County Road J to 610th Street, then south to 420th Avenue
- 420th Avenue to the Town of Spring Brook line

SECTION 6 – CONDITIONS TO ALL-TERRAIN AND UTILITY-TASK VEHICLE ROUTES

Pursuant to s. 23.33(8), the following restrictions are placed on the use of the town all-terrain and utility-task routes designated by this ordinance:

- A. Routes shall be marked with uniform, all-terrain and utility task vehicle route signs in accordance with s. NR 64.12(7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking all-terrain vehicle routes.
 - 1. Intentionally remove, damage, deface, move, or obstruct any uniform all-terrain and utility task vehicle route or trail sign or standard or intentionally interfere with the effective operation of a uniform all-terrain and utility-task vehicle route or trail or standards if the sign or standard is legally placed by the state, any municipality or any authorized individual.
 - 2. Possess any uniform all-terrain and utility-task vehicle route or trail sign or standard of the types established by the department for the warning, instruction or information of the public, unless he or she obtained the uniform all-terrain and utility-task vehicle route or trail sign or standard in a lawful manner. Possession of a uniform all-terrain and utility-task 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 which is adopted as a part of this ordinance, pursuant to s. 23.33(11), Wis. Stats.
- C. A copy of this ordinance shall be forwarded to the Dunn County Sheriff's Department.
- D. In addition to the provisions of s. 23.33, the following restrictions are placed on the use of the town all-terrain and utility-task vehicle routes designated by this ordinance:
 - 1. All designated ATV trails are posted for 35 MPH. Operators shall reduce speed whenever the posted limit is less or as stated in the Wisconsin Statutes that relate to ATV and UTV operation.
 - 2. All ATV and UTV operators shall ride single file.
 - 3. The allowed hours of operation shall be from dawn until dusk.
 - 4. Anyone under the age of twelve (12) cannot operate an ATV or UTV on a road or route under any circumstances.
 - 5. Anyone born after January 1, 1988 cannot operate an ATV or UTV on a roadway without a safety certification.
 - 6. All ATV and UTV operators under the age of 18 must wear a helmet.
 - 7. Lights must be on at all times.
 - 8. Operation will be April 1st through December 1st of each year.

SECTION 7 – SPECIAL PROVISIONS

All signs, posts, and similar material associated with the approved ATV and UTV trails, roads, and streets in the Town of Red Cedar will be installed and maintained by an ATV and UTV Club or Organization through an agreement with the Township. The said agreement will be reviewed annually at a Town Board meeting to ensure compliance with all provisions of this ordinance.

SECTION 8 – ENFORCEMENT

Any law enforcement officer authorized to enforce the laws of the State of Wisconsin may enforce this ordinance.

02/04/2014

SECTION 9 – PENALTIES

The penalties under s. 23.33(13), Wis. Stats., are adopted by reference.

SECTION 10 – EFFECTIVE DATE

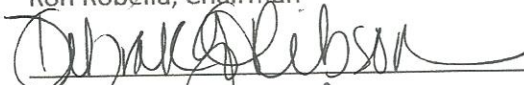
This ordinance is effective when all-terrain and utility-task vehicle routes signs are posted by the local ATV and UTV clubs and can be discontinued at any time by decision of the Red Cedar Town Board.

PASSED AND ADOPTED by a majority vote of the Town Board of the Town of Red Cedar, Dunn County, Wisconsin, this 10th day of February, 2014.

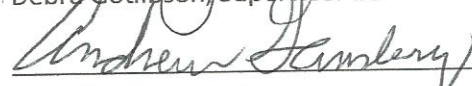
RED CEDAR TOWN BOARD:



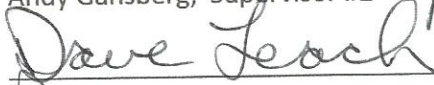
Ron Robelia, Chairman



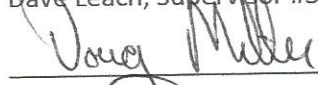
Debra Gotlibson, Supervisor #1



Andy Gansberg, Supervisor #2



Dave Leach, Supervisor #3



Doug Miller, Supervisor #4

ATTEST:


Cheryl Miller, Town Clerk

(Town Seal)

Posted: 02/14/2014

Amendment: 2014-4 on 5/14/2014
attached

TOWN OF RED CEDAR ORDINANCE AMENDMENT
No: 2014-4

An Ordinance Amending Town Ordinance No: 2014-1
ATV/UTV Route Ordinance

The Town Board of the Town of Red Cedar, Dunn County, Wisconsin does ordain as follows:

SECTION I. PURPOSE

The purpose of this ordinance amendment is to extend the Town's approved ATV/UTV route North on 610th Street to 530th Avenue.

SECTION II. AMENDMENT

Section 5 of the ordinance is amended as follows (added language is underlined):

SECTION 5 – DESIGNATION OF ALL-TERRAIN AND UTILITY-TASK VEHICLE ROUTES

The following routes are designated all-terrain and utility-task vehicle routes in the town:

410th Avenue from the Town of Menomonie line, east to County Road J
430th Avenue from County Road J to 610th Street - then north on 610th Street to 530th
Avenue – then south on 610th Street to 420th Avenue
420th Avenue to the Town of Spring Brook line

SECTION III. SEVERABILITY

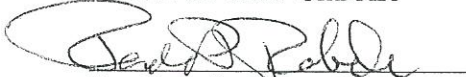
If any provision of this Ordinance or any application of this Ordinance to any person or circumstance is found to be invalid or unconstitutional, such a finding shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or applications.

SECTION III. EFFECTIVE DATE

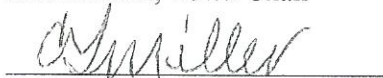
This Ordinance shall take effect upon passage and publication as provided by law.

Adopted this 14th day of May, 2014.

TOWN OF RED CEDAR



Ron Robelia, Town Chair



Cheryl Miller, Town Clerk

Posted: 5/23/2014