

ALL-TERRAIN VEHICLE ROUTES, WAUBECK TOWNSHIP, PEPIN COUNTY

An ordinance designating all-terrain vehicle routes and regulation of all-terrain vehicles.

SECTION I- TITLE AND PURPOSE

The title of this ordinance is the Town of Waubeek ATV/UTV Route Ordinance. The purpose of this ordinance is to establish all-terrain vehicle routes in the town and regulate the operation of all-terrain vehicles in the town per Wis. Stat. §23.33.

SECTION II- STATUTORY AUTHORITY

The Town Board of the Town of Waubeek, Pepin County, Wisconsin, adopts this ordinance by authority of Wis. Stat. §23.33.

Pursuant to Wis. Stat. §23.33 (4) (d) (4), except as otherwise provided in § 23.33 (4), no person may operate an all-terrain vehicle on the roadway portion of any highway in the town except on roadways that are designated as all-terrain vehicle routes by this ordinance.

SECTION III- ROUTES

Designation of county roads within the Town of Waubeek as ATV/UTV routes requires concurrence from Pepin County and is only in effect in the town after authorization by Pepin County.

The following roads are designated as ATV/UTV routes in their entirety:

 Semple Road from County Trunk Highway D to the boundary with the Township of Waterville.

SECTION IV- CONDITIONS

As conditions for use of these routes, the following conditions shall apply to all operators of ATV/UTV's:

- A. Operation shall be subject to all provisions of § 23.33 Wisconsin State Statutes, which is adopted as part of this ordinance by reference to § 23.33(11) Wis. Stat.
- B. All ATV/UTV operators shall observe a speed limit of not more than 30 MPH or the posted roadway speed limit, whichever is lower.
- C. All ATV/UTV operators shall ride single file on the extreme right hand portion of the road.

- D. All ATV/UTV operators shall operate their own ATV/UTV under their own insurance policy.
- E. All ATV/UTV operating on town or county roads must be equipped with functioning brake lights; headlamps must be illuminated when operating.
- F. All ATV/UTV operators born on or after January 1, 1988 shall possess a valid state issued ATV Safety Certificate.
- G. All ATV/UTV operators 16 and under must be in direct supervision of a parent or legal guardian when operating on a designated all-terrain vehicle route.
- H. All ATV/UTV operators shall observe a night time curfew of 30 minutes after dusk to 30 minutes before dawn.
- I. On all roads shared with another jurisdiction the most restrictive ordinance shall apply.
- J. All ATV/UTV operators shall trailer their ATV/UTV's to a designated trail access area. Operation on town roads or county roads unless approved by county ordinance, to access any ATV/UTV trail is prohibited by this ordinance.
- K. All ATV/UTV riders must have a valid driver license.

SECTION V-ENFORCEMENT

- A. This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.
- B. If there is a serious misuse of the privilege, the ordinance or designated routes may be canceled at any by the decision of the Waubeek Town Board.
- C. This ordinance shall be reviewed annually by the Town of Waubeek Board and requires a positive majority vote by the board to renew or revise the authorized routes and uses contained in this ordinance. The review and vote shall take place during the regular Town Board meeting during the month of the anniversary of the original passage of the ordinance.

SECTION VI- PENALTIES

Wisconsin State All-Terrain Vehicle Penalties as found in § 23.33 (13) (a) Wis. Stats. are adopted by reference.

SECTION VII-SEVERABILITY

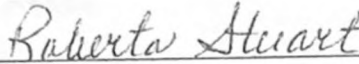
The provision of this ordinance shall be deemed severable and it is expressly declared that the Township would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any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

SECTION VIII- EFFECTIVE DATE

This ordinance is effective for a trail period of 1 year after all town publication and posting are completed, whichever comes latest. This ordinance expires after that year. The town clerk shall properly post this ordinance as required under § 60.80, Wis. Stat. and notify Pepin County government and the boards of all adjoining municipalities.

Dated this 9th day of September 2015.


Town Chairman
David Klein


Town Clerk
Roberta Stuart